

NATIONAL ARCHIVES MICROFILM PUBLICATIONS

Microfilm Publication M1650

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

Roll 54

Cherokee Applications 5465 - 5574

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

On the 54 rolls of this microfilm publication, M1650, are reproduced applications for enrollment in the Five Civilized Tribes under the act of June 10, 1896. These applications, housed in the National Archives-Southwest Region, Fort Worth, Texas, were maintained by the Muskogee Area Office and are part of Records of the Bureau of Indian Affairs, Record Group 75.

Background

On March 3, 1893, Congress authorized the establishment of a commission to negotiate agreements with each of the Five Civilized Tribes--Cherokee, Chickasaw, Choctaw, Creek, and Seminole. The Dawes Commission, named for its chairman, Senator Henry Dawes of Massachusetts, undertook the compilation of a complete Indian census that could be used as the basis for the allotment of tribal lands to individual Indians.

Prior to 1896, the tribes exercised sole jurisdiction over tribal citizenship, but in that year Congress passed an act allowing the Commission to hear and "determine the applications of all persons who may apply to them for citizenship and...determine the right of such applicant to be admitted and enrolled." The Dawes Commission issued notices on July 8, 1896, announcing that it would accept applications for citizenship until September 10, 1896. The application had to be a signed and sworn statement containing all the facts supporting the claim, and the applicant had to provide proof that a copy had been furnished to the tribal chief. Congress required the Commission to make its decision within 90 days of receipt of the application and authorized an appeal process through the recently established U. S. Court in Indian Territory.

The application and appeal process had been underway for two years when Congress passed the Curtis Act on June 28, 1898, (30 Stat. 495). The act authorized the Commission to prepare for each tribe new citizenship rolls that incorporated names

of successful applicants. This "Final Roll" became the only roll used for allotment purposes.

Records Description

This microfilm publication comprises the applications for enrollment of Cherokees, Chickasaws, Choctaws, and Creeks, as well as those of former slaves (freedmen) of the Chickasaw and Choctaw tribes. The National Archives has not located any Seminole applications. Applicants to the Commission included Indians by blood; spouses of Indians, although the spouses themselves were not Indians by blood; and freedmen who had formerly belonged to members of the Five Civilized Tribes.

When they were in active use, most applications were filed numerically according to application numbers assigned by the Commission. Applications from Chickasaw and Choctaw freedmen were filed separately from those of other applicants for citizenship in the two tribes. The Commission maintained some applications, called Choctaw-Chickasaw Duplicates, in alphabetical arrangement. Despite their title, these files do not duplicate any of the applications filed numerically.

To facilitate access to the numerically-filed applications, the Commission prepared several indexes. These have been consolidated into one index and are reproduced on roll 1 of this publication.

Typical application files include supporting affidavits, depositions, letters, memorials, answers of tribal attorneys objecting to enrollment, lists of evidence, and receipts for service of papers. Also included are notices of appeal to the U.S. Court in Indian Territory at either South McAlester or Ardmore and a reference to the case number assigned by the court. While several files contain only a receipt for papers signed by the Clerk of the U.S. Court, a few files document in greater detail the applicant's life. Occasionally there are marriage licenses, photographs, and judgments issued by the U. S. court. Some records provide background information on the applicant including name, post office address, age, degree of blood, lists of children and their ages, and other relatives. Every

document within the application files has been microfilmed.

On the last roll of microfilm are miscellaneous files and applications that were received too late for consideration. These records are not included in the index on roll 1.

Related Records

Related records are found in other series within the Bureau of Indian Affairs, RG 75. The Final Rolls, also known as the "Dawes Rolls," have been reproduced as Enrollment Cards for the Five Civilized Tribes, 1898-1914 (M1186). These enrollment cards include both individuals with tribal citizenship before 1896 and those who were approved for citizenship by the Dawes Commission. The applications for enrollment on the Final Rolls have been reproduced as Applications for Enrollment of the Commission to the Five Civilized Tribes, 1898-1914 (M1301). Records relating to enrollment and allotment for the Five Civilized Tribes, including appeals to the U. S. Court in Indian Territory and cases heard before the Choctaw-Chickasaw Citizenship Court in Tishomingo and McAlester, are housed at the National Archives-Southwest Region (entries #60A-101, and 114-126). Related records for the Five Civilized Tribes are housed at the Oklahoma Historical Society, Oklahoma City.

Meg Hacker wrote these introductory remarks and prepared the records for filming. Volunteers at the National Archives-Southwest Region created the consolidated index.

[redacted]

APPLICATIONS FROM THE BUREAU OF INDIAN AFFAIRS, MUSKOGEE AREA OFFICE, RELATING TO ENROLLMENT IN THE FIVE CIVILIZED TRIBES UNDER THE ACT OF 1896

CONTENTS

Roll	Description
1.....	Index
2.....	Choctaw Applications 1 - 193
3.....	Choctaw Applications 194 - 396
4.....	Choctaw Applications 397 - 588
5.....	Choctaw Applications 589 - 768
6.....	Choctaw Applications 769 - 952
7.....	Choctaw Applications 953 - 1138
8.....	Choctaw Applications 1139 - 1305
9.....	Choctaw Applications 1306 - 1419 Choctaw Freedmen - Index Choctaw Freedmen Applications 1 - 39
10.....	Chickasaw Applications 1 - 150
11.....	Chickasaw Applications 151 - 285 Chickasaw Freedmen - Index Chickasaw Freedmen Applications 1 - 3
12.....	Chickasaw Freedmen Applications 4 - 129
13.....	Choctaw-Chickasaw Duplicates Abels - Cobb, Charley
14.....	Choctaw-Chickasaw Duplicates Cobb, George S. - Goings
15.....	Choctaw-Chickasaw Duplicates Goins - Kemp, Emily
16.....	Choctaw-Chickasaw Duplicates Kemp, Jesse - Nelson
17.....	Choctaw-Chickasaw Duplicates Nesmith - Spring, Olive A.

[redacted]

Roll	Description
18.....	Choctaw-Chickasaw Duplicates Spring, Sallie - Miscellaneous
19.....	Creek Applications 1 - 166
20.....	Creek Applications 167 - Miscellaneous
21.....	Cherokee Applications 1 - 114
22.....	Cherokee Applications 115 - 261
23.....	Cherokee Applications 262 - 423
24.....	Cherokee Applications 424 - 485
25.....	Cherokee Applications 486 - 681
26.....	Cherokee Applications 682 - 768
27.....	Cherokee Applications 769 - 902
28.....	Cherokee Applications 903 - 1005
29.....	Cherokee Applications 1006 - 1169
30.....	Cherokee Applications 1170 - 1461
31.....	Cherokee Applications 1462 - 1698
32.....	Cherokee Applications 1699 - 1919
33.....	Cherokee Applications 1920 - 2154
34.....	Cherokee Applications 2155 - 2384
35.....	Cherokee Applications 2385 - 2565
36.....	Cherokee Applications 2566 - 2705
37.....	Cherokee Applications 2706 - 2743
38.....	Cherokee Applications 2744 - 2979
39.....	Cherokee Applications 2980 - 3099
40.....	Cherokee Applications 3100 - 3235
41.....	Cherokee Applications 3236 - 3357

[redacted]

Roll	Description
42	Cherokee Applications 3358 - 3515
43	Cherokee Applications 3516 - 3738
44	Cherokee Applications 3739 - 4007
45	Cherokee Applications 4008 - 4243
46	Cherokee Applications 4244 - 4373
47	Cherokee Applications 4374 - 4463
48	Cherokee Applications 4464 - 4622
49	Cherokee Applications 4623 - 4826
50	Cherokee Applications 4827 - 4988
51	Cherokee Applications 4989 - 5175
52	Cherokee Applications 5176 - 5320
53	Cherokee Applications 5321 - 5464
54	Cherokee Applications 5465 - 5574

M 5465

Joshua L. West Plff

vs

Cherokee Nation

Order of Appeal

NOTICE.

262

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Isham L West et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Isham L. West et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of Jan, 1897. A. D. 189..

Clerk.

End

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 29th day of Sept. 1896.

John L. Adair.
Executive Secretary.

Page 131, Docket "E".

Office Commission on Citizenship,

Tahlequah, Ind. Ter., _____ 188_.

Docket.	No.	Names.	Age.	Sex.	Post Office.	Atty.
	1	Charles Bray				
	2	Ida Faries nee Bray			Application for Cherokee Citizenship	
		V. s.			Census Rolls	
		Cherokee Nation			Ancestor	

Commission on Citizenship,

Cherokee Nation, Ind. Ter.,

Tahlequah, Sept., 26th, 1888.

Charles Bray & Ida Faries,

vs

Cherokee Nation.

Now on this the 26th day of September 1888, the above parties, son and daughter of John B. Bray, dec'd, who having been regularly summoned under the provisions of an Act in relation to citizenship, approved Feb. 7th 1888, to be and appear before this Commission on the 19th day of July. 1888, and failing to do so, tho their names were called on three several days at the door of the Commission rooms in the town of Tahlequah, Cherok e Nation, and no answer being returned either in person or by attorney, how comes Hon. R. F. Wyly, Nation's Atty, and moves the Commission to take judgment against Charles Bray and his sister Ida Faries, nee Bray, son and daughter of John B. Bray, dec'd. The Commission sustain the motion of Nation's Atty, and Charles Bray and Ida Faries are hereby declared to be intruders upon the public domain of the Cherokee Nation, with no interest in common with the Cherokee Peo le.

J. T. Adair, Chairman Commission,

H. C. Barnes, Commissi ner.

Nation's No. 3474

Commission's No .....

In re Application of

Ida L. Farnish et al

Demurrer and Answer.

FILED Oct 2 1896.

A. S. McKENNON

COM'R

Before the Hon[illegible]enry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
John L. Farris et al
Nation's No. 3474
Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st, That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Sarah E. Bray through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer. to the claim of Sarah E. Bray Nation's No. 3590-

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hutchings & Bandinet Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair.

Subscribed and sworn to before me this, the 25 day of Sept. 1896.

D. J. Bree
NOTARY PUBLIC.

B R I E F'

:-BEFORE THE. HONORABLE DAWES COMMISSION-:

In the matter of the application for citizenship in the Cherokee Nation, of Ida L. Ferris, for herself and her brother, William P. Bray.

We present the following sta tement, to-wit:

Ida L. Ferris, is the daughter of Sarah E. Bray, nee Estes , who is the wife of J. B. Bray, deceased, and said applicant says tha t William P. Brayis her brother and a minor under the age of 21 years; and-b both claim to be Cherokee Indians by blood a s shown by proof herewit respectfully submitted, and as shown by the cop y of papers and statement embraced therein pertaining to the case of J. B Bray hereto attached; the original papers being on file with your Honnora ble Commission.

Wherefore, we most respectfully ask that said applicants, to-wit: Ida L. Farris and William P. Bra y, be admitted a nd enro lled as a Citizens of the Cherokee Nation.

Hubbard Garland & Watts

Att'ys for claimants.

POOR ORIGINAL -
BEST AVAILABLE COPY

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Ida Le Farris nee Bray for and on behalf of herself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the

in support of said claim, and respectfully await the time when this —application shall be heard and tried.

Respectfully Submitted.

Ida Le Farris

Enrollment of family, with relationship attached, as follows: Tsunkia 97

NAMES.	AGE.	RELATIONSHIP.
Jasper N Farris	36	Husband of applicant
Ida Le Farris	27	Ida Le Farris nee Bray daughter of Sarah E Bray nee Estes
William D Bray	20	William D Bray is a brother of Ida Le Farris and a son of Sarah E Bray nee Estes

In witness of which I hereunto set my hand on this 17 day Aug 1896

Ida Le Farris

15

True copy of original

W J Watts

Notary Public

No.....

PETITION OF

.....

for and on behalf of

.....

and heirs

.....

.....

.....

Attorney for Petitioner.

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner ~~William A. Berry~~ Ida L. Farris nee Bryant would state and show from the proof submitted to the Commission that She is a Cherokee by decent and by blood having been born in Delaware District Ind. Ter on 26 day of March 1869. My fathers name was J. B. Brown My mothers name was Sarah E. Brady That I now reside in Cherokee Nation and have resided there for 27 years. And She avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And She further avers that these facts being proved She is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore She herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing She be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature Ida L. Farris

~~State of~~ Ind. Ter. ~~County of~~ First Jud. Div. } SS

NOW on this 20th day of Aug 1896 personally appeared before me W. H. Stanley a Notary Public for said county and state Ida L. Farris who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 20 day of Aug 1896.

W. H. Stanley
Notary Public.

My Commission expires Oct. 1, 1896.

CHEROKEE NATION.

(COPY.)

Copy of National Certificate.

No.31.

I hereby certify,that J.B.Bray,has served two days as a juror in case of Cherokee Nation .vs.Bill Holt,charged with arson 2nd trial.tried and acquitted on the 1st day of March 1873

Dated,this 15th day of March 1873

(Signed.)R.R.Taylor
Clerk,C.C.Sequoyah District.

$2.00

Executive Department
Tahlequah Sept 15" 1880

I hereby certify the above to be a true and literal copy of the original filed in this office in case of J.B.Bray,before Commission on Citizenship.

(Signed.)W.P.Boudinot
Executive Secretary.

(SEAL.)

Endorsed:-"4824-1881 Indian Office Inmlos.No.2".

(COPY.)

COPY

To all and siggular whom it may concern
I do certify that I was appointed census marshal to take the census in Sequoyah Dist Cherokee Nation in 1870, and Mr. J.B.Bray had lately moved into Sequoyah district I went to him asked him if he or his family was Cherokees.he said that his family was Cherokees. I told him that I had very strict instructions and that I would require proof of some kind.and Mr Bray said to give him a little time for him to send to the former district he had come from and he would satisfy me. I give him 2 or 3 weeks time and he did make the proof to my satisfaction by producing a marriage certificate accompanyed by a petition signed by 7 Cherokee citizens and accompanied by some letters.and one from the Hon Spring Frog who was at that time treasurer of the Cherokee nation. And under them circumstances I registered Mr.Bray and Family on the rolls as citizens of the Cherokee Nation. I further know Mr Bray to be a high minded,upright,and a gentlemen and a good citizen,and never have known his rights doubted. He has voted and taken part in all National affairs until very recently the cry has been raised against him for no cause that I know of.

(Signed.) J.F.Bethell.

July 3rd 1875

Executive Department
Tahlequah Sept 15th 1880.

I hereby certify the within to be a true copy of the original filed in this office in the case of J.B.Bray. vs.Cherokee Nation before the "Commission on Citizenship".

(Signed.)W.P.Boudinot
Executive Secretary.

(SEAL.)

Endorsed:-"4824-1881 Indian Office Inclos:No.7".

(COPY.)

SEQUOYAH DIST

CHEROKEE NATION

AUGUST 13th 1880

This is

To certify that I,J.B.Bray a citizen of the united was lawfully married to Sarah Eastridge In the old Cherokee Nation in the State of Georgia & I emigrated to this country the Cherokee Nation ~~in~~ we arrived here Delaware dist the first day of May 1868 on arrival we claimed our rights as a Cherokee family under the Cherokee law that existed at that time My wife Sarah E.Bray fully esstablishing her cherokee blood by the sworn affidavits of one Bryant Ward & a Mrs.Wilkerson who ~~was~~ both Cherokee/ Indians by blood & birth & verry old both of them well acquainted with the Cherokees in Georgia some time after the two first affidavits were made & filed we procured the affidavits of the two Mr Allens whoo were noth well aquainted with the relations of my wife & the blood that was said to exist their evidence coobeorateing fully with the two first.

The blood of my wife being esstanlished fully to the satisfaction of the neighborhood in which we were stopping at that time as that of a Cherokee,I was told the law required me to procure a license signed by seven good citizens of the Cherokee Nation petision stateing on its face that J.B.Bray a white man& a citi zen of the united States was to marry Sarah Eastridge a Cherokee wooman the license was procured the fee of five dollars paid & the marriage ceremony performed by an ordained minister of the Gospel & the license returned with the minister certifacate on the back testifying that I had complied

with the law of intermarriage with a cherokee womman this all being done as the law directed at that time I was said to be an adopted citizen of the Cherokee Nation. I lived in Delaware about two years & was as far as I know looked upon & treated as any other citizen of the country voting at a public election while there I then moved to Sequoyah Dist the place of my present home and have enjoyed all the rights as any other Cherokee citizen voting ay all elections siting on there juries purchased & sold improvements from from all classes of the Cherokee people giving & receiving Bills of Sales Had a trade lisense issued to me to traffic in goods paid the tax in to the National Treasurer for same registered tickets in the auditors office & drew the warrants on same My children all being educated in the public schools of the country having never been turned out & what little I have in the way of property be ing invested here & I consider but little protection for either life or property..Now about two years back throug some selfish person without the shadow of evidence report me as an Intruder I appear before the Citizenship court & claim to be nothing but a white man & having complied with the intermarriage law with a cherokee wooman & the certifacate to show that I had complied with that law, the honorble court voted me out never gave my wife any citation at all and the evidence the court procured was ceartinly in my favor & they had but one witness. I claim the court acted without any evidence against me,& I further claim that the hon court had no jurisdiction in my case & that the whole proceedings was illegal unlawful & oppressive now that I want is

to know whether I am a citizen of this country or not I contend that according to the alaw that existed at the timeI come here & a strict compliance with the same that my self and family under the Cherokee law are bonefied citizens & any action that the cherokee authorities have taken in the premises are illegal retrospective & oppressive & contrary to the laws of all civilized government

I therefore hope the Government will take amidiant action in my case and relgave us from the oppresion that we are co ntending with at present I hope you will give this matter your earliest attention

I remain your obediant sirvant

(Signed.)J.B.Bray

TO THE UNITED STATES AGENT FOR THE CHEROKEES

MUSKOGEE,I.T.

Sworn to and subscribed before me this 13th day of August 1880

(Signed.)Stephen Wheeler

Clerk U/S/Dist/Court

West Dist Ark

(SEAL.)

Endorsed:-"4824-188/ Indian Office Inclos.No.5".

(Copy.)

Sequoyah Dist
Cherokee Nation, I.T.

Aug 13th 1880

I am a native of what is known to be the old Cherokee Nation Sate of Georgia I am a Cherokee Indian by birth and blood the reason I know this is from the fact that my grand mother was a half breed Cherokee wooman & she has told me often that she was a Cherokee Indian Hur name before she was married was Betsey Hulsey & she married a man by the name of Eastridge & my father is the son of Betsey Eastridge & his name was Eli Eastridge & my mother the wife of Eli Eastridge always taught me that if was the child of Eli Eastridge hur lawful husband She always taught me to beleave that I was a Cherokee Indian by birth & blood therefore it is morally imposible for me to be any thing else but a Cherokee Indian by birth and blood I married a man by the name of J.B.Bray in the State of Georgia acording to laws of that State after which we emigrated to this country the Cherokee Nation where I claim to have a perfect wright to live & enjoy all the rights to be derived from my blood & birth we arrived here on the first day of May 1868 & on arrival in Delaware Dist I esstablished my Cherokee blood by Bryant Ward & Mrs Wilkerson whoo were both verry old Cherokees & both extansively acquainted in the old Nation Since that time I procured the affidavits of two Mr.Allens whoo both testify coeberating with the two first affidavits made,,after my blood was satisfactory established my husband J.B.Bray procured a lisense with seven good citizens of that neighborhood signing said petision that Mr.J.B.Bray a

7

citizen of the united States was desirious of becoming an adopted citizen of the Cherokee Nation by marriade to Sarah Eastridge a cherokee wooman this all being gone through with according to the ,then,existing laws of the Cherokee Nation My husband J.B.Bray was admitted to all the wrights of any other Cherokee citizen We resided in that Dist Delaware for about two years In peace beleaving we were bonified citizens after which we moved to Sequoyah Dist where we now reside the year 1870 we were all as a family placed on the real list as bonified Cherokee citizens My Bray voting at all elections siting on their juriors receiving his pay for such service had his tickets registered at the auditors office as any other citizen Had a trade liscense issued to him by the National Treasurer to traffic in goods in the Cherokee Nation for which he paid the National tax in to the Treasurer of the Cherokee Nation He has bought & sold improvements from all classes of the Cherokee people giving & receaving bills of sale my children having all been educated in the public scools of the Nation having never been turned out all Mr.Brays has in the way of means is invested here & has but little protection from the authorities here I consider this my home & the home of my ofspring Here I live here I expect to die & pray you as a great & good government to protect me & my family in the equal rights that belong to us by birth & b lood Hopeing you will give this matter your earliest consideration I remain your obedient servant

(Signed.)Sarah E.Bray (her X mark)

Sworn to and subscribed before me this 13th day of

August 1880

(Signed.)Stephen Wheeler
Clerk U.S.Dist.Court
West Dist Ark

(SEAL.)

Endorsed:-"4824-1888.INDIAN OFFICE Inclos,No.3".

(COPY.)

Copy

Office Supreme Court,Cherokee Nation
May 17th 1873.

This certifies one J.B.Bray has on file in office of the Court of Commissioners,"his marriage license granted by J.J.Mc Gee,Clerk of Dist Court for Delaware District,on the recomendation of seven Cherokee citizens of the Cherokee Nation,to marry Sarah Eastridge,a Cherokee. Also he the said J.B.Bray has served as juror in case of Cherokee Nation.vs.Sic-a-tow-ee- charged with arson,tried and acquitted in Sequoyah District. Nov 12th 1872,having been recognized as a Cherokee citizen - See certificate of service granted by R.R.Taylor,Clk.Dist.Court for Sequoyah Dist-Papers on file in off of Clerk of Supreme Court as "Court of Commission"

May 17th 1873 (Signed.) W.H.Turner,Clerk
Supreme Court.C.N

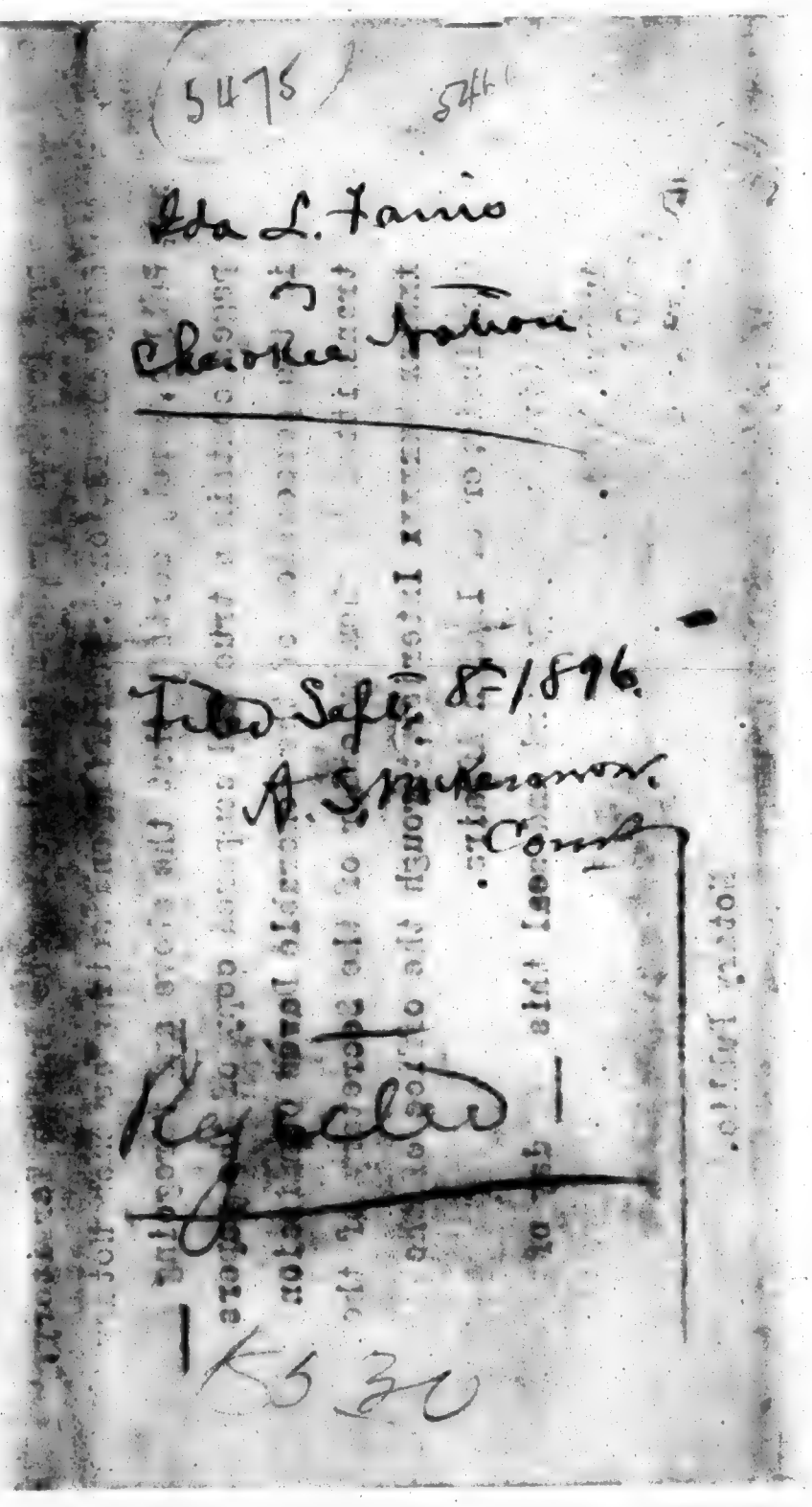
Executive dept.Tahlequah,C.N.
Sept 15th/80

I hereby certify the above and foregoing to be a true copy of the original filed in this office in the case of J.B.Bray,before the Commission on Citizenship.

(Signed.)W.P.Boudinot
Executive Secretary.

(SEAL.)

Endorsed:-"4824-1881.Indian Office Incloa.No.1".


5475 5441
Ida L. Tarrio
to
Charles Sprague
Filed Sept. 8/1896.
A. Smukerman
Comp.
Rejected
K530

UNITED STATES OF AMERICA
INDIAN TERRITORY
NORTHERN DISTRICT.

I, Myra Young, a Notary Public, within and for the Northern District of the Indian Territory, duly commissioned, qualified and acting as such Notary Public, hereby certify that the above and foregoing ten pages contain a true and compared copy of the papers in the possession of the Honorable Dawes Commission transmitted to them by order of the Secretary of the ~~Indianxfarrrrx~~ Interior, through the office of the Commissioner of Indian Affairs.

. Given under my hand and seal this 19th day of August, 1896.

Myra Young
Notary Public.

End

5765

Nation's No. 9876

Commission's No .....

In re Application of

James M. Wilkerson
et al

Demurrer and Answer.

FILED
A. S. McKENNON
COMR.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Ponce M. Nickerson et al

for citizenship in the Cherokee Nation.

Nation's No. 2826

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Richard Nickerson through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES. Principal Chief Cherokee Nation.

By Hastings, Hutchings & Rowe Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this the 22 day of Sept 1896.

D. J. Ball

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Cuyler Cuss Co. N.Y.

Registered Letter / Parcel No. 123 Rec'd Sept 7th 1896

of James M Wilkinson

One reg

addressed to Ft Wayne Tabletpost Ind

L L Taylor P.M.

123

INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

IN the matter of the claim of James Wilkerson, Rebecca Wilkerson, Martin V. Wilkerson, Charles L. Wilkerson, Lovey J. Wilkerson, & A. Wilkerson

for enrollment as citizens of the Cherokee Nation, Indian Territory, as Cherokee Indians, by descent and by blood.

On this 8th day of September, 1896, before me, D. J. Elliott, a Notary Public within and for the Northern District in the Indian Territory personally came Robert H. Crawford to me known to be a credible person, who being by me, first, duly sworn, testifies, as follows:

I did on the 7th day of September, 1896, see registered at the Post Office at Pryor Creek, in said District and Territory, a package addressed to "Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter." That the Postmaster's receipt for said registered package No. 123 hereto attached, is a receipt for said package which contained true copies of the following described papers in the case herein mentioned, the same being all the papers presented to the Honorable Dawes Commission in this case.

Application sworn to by James Wilkerson
Affidavit of Rachel Edwards.
Affidavit of George Wilkerson.
Affidavit of Rebecca Eldridge.
Affidavit of Lucinda Brady.
Affidavit of John Ward.
" " J. M. Bryan.
" " Walter Adair.

I am not interested in this case and am not concerned in the prosecution thereof.

D J Elliott

Subscribed and sworn to before me this 8th day of September, 1896.

D N Samuel
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

YOUR Petitioner, James Williamson

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in Montgomery County, State of Ala. on the 2nd day of September 1871 My father's name was Richard Williamson. My mother's name was . That I now reside in the Cherokee Nation and have resided there for 18 years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature James Williamson

INDIAN TERRITORY, }
NORTHERN DISTRICT. } ss.

NOW on this 11th day of August, 1896, personally appeared before me, D O Elliott a Notary Public within and for the said Northern District, James Williamson who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 11th day of August 1896.

D O Elliott
Notary Public.

Enrollment of family with Relationship attached

Names	Ages	Relation
James Wilkerson	74	Son of Richard Wilkerson
Rebecca J. "	73	Wife " James "
Martin V. "	30	Son " " "
Charles L. "	26	" " " "
Lonnie J. "	16	" " " "
Celestia A. "	15	Daughter " " "

"A" Is the testimony of Rachel Edwards who says she is one fourth Cherokee Indian and was borned in Ala. in 1827 and came to the Cherokee Nation over 50 years ago, and has been on the Cherokee roles until the late "Strip" happened when she was "red inked" — She also states that her brother James M. Wilkerson Commonly called James Wilkerson left the Cherokee nation during the late war and never returned until 1891. Her was on the roles when he went away but has failed to be reinstated. —

"B" Is the affidavit of George Wilkerson who is a cherokee Indian by blood and states that the petitioner J. M. Wilkerson is a first cousin of his and he knows him to be a cherokee Indian by blood. —

"C" Is the testimony of Rebecca ~~Wilkerson~~ Reedridge who is 78 years old and a resident of Delaware district. She says she knows James M. Wilkerson personally and that he lived with her family 5 or 6 years before the war and she

always known him as a Cherokee indian and he claimed to be and was so regarded by the people of the neighborhood—
She also states that he went away from this country during the civil war and returned recently and she further says she believes him to be a Cherokee Indian.

"D" Do the testimony of Lucinda Brady who is a Cherokee Indian by blood aged 59 years and resides in Illinois district Cherokee Nation. She says she is well acquainted with James M. Wilkerson, having become acquainted with him in 1855 and always understood him to be a Cherokee Indian as no one disputed him as being a Cherokee Indian.
She also identifies him as being the same identical James Wilkerson who left this country during the civil war and recently returned.

"D." Do the affidavit of John Ward who resides in Cooweescoowee district aged 72 years - and a Cherokee by blood. He states that he became personally acquainted with

James M Wilkerson about 1852 and knew him up to 1860. And had always understood him to be a Cherokee Indian and never heard his rights in such disputed.

"F." Dr the affidavit of J. M. Bryan Post office Chantaun D.T. aged 83 years and a Cherokee citizen. Hee says he knew the petitioner James M Wilkerson before the war of the rebellion and knew him as a cherokee Indian having never heard his rights disputed by any one, and further states he believes him to be a Cherokee Indian

"G" Dr the testimony of Walter P. Adair of Salina D.T. who is 61 years and and a Cherokee by blood says he was acquainted with James Wilkerson befor the war and always understood him to be a Cherokee Indian by blood—

I herewith append a memorandum to aid in finding the names of my family who appear on the Cherokee rolls.

Richard Wilkerson Roll 1835 P 166
James " " " . 28
R Edwards nee Wilkerson . . 160.

Respectfully Submitted. D F Elliott & Co
Attys for Applicant,

Notarial
Certificate

Ex. A1.

Notarial
Certificate

26th day of December

A. D. 1911

A. C. Elliott
Notary Public

5

69

Indian Territory
Northern District } ss-

On This 26th day of August 1896,
before Me, D. I. Elliott a Notary Public
in and for the Northern District Indian
Territory, personally Came Rachel Edwards,
who being by me duly Sworn testifies
as follows: I am one fourth Cherokee
Indian I was born in Barber County Alabama
in 1827. My maiden name was Rachel
Wilkerson. I came to the Cherokee Nation
more than fifty years ago. My name
has been on on the Cherokee rolls and my
fathers name was also on said rolls.
My right to enrollment as a Cherokee was
never questioned, until the late "Strip"
payment was to be made. I then found
that my name had been "red inked" as it
is called. That is the Census taker made
a Cross mark with red ink opposite my
name on the rolls, which is said to mean,
"doubtful" which cut me out of my
part of the "Strip payment". I have never
been able to get my Strip payment
or to have my name reinstated on the rolls.
My full brother James Wilkerson came
to the Cherokee Nation Indian Territory
at the same time I came. He was
recognized as a Cherokee Indian and
his name appeared on the rolls. My

brothers Correct name is "James M. Nickerson"
but he was enrolled as "James Nickerson"
My said brother left the Cherokee Nation during
the war and remained out of the Cherokee
Nation until 1891 when he returned but
has never been able to have his name
reinstated on the Cherokee rolls.

attest D. J. Elliott. Rachel Edwards. her X mark

Subscribed and sworn to before me this
26th day of August 1896.

D. J. Elliott
Notary Public

Northern
District

Rachel Edwards
Ex. #1.

1896
1827/69

affidavit of
T. W. Wilkerson
in the Jas. M. Wilkerson
Case -
Exc. "B".

Cherokee Nation
Tahlequah District } ss

On this the 17th day of November 1892 personally appeared before me R. M. McDaniel Deputy Clerk in and for the District aforesaid one George Wilkinson who after being duly sworn states that J. M. Wilkinson is a first cousin of his and lived in the nation before the War and is a Cherokee by blood and should be readmitted.

George X Wilkinson
mark

Sworn and subscribed to before me this the 17th day of November 1892. R. M. McDaniel Deputy
Clk Tah Dist C. N.

Affidavit of
Rebecca Eldridge.

"In Evidence."

Application of
James M. Wilkerson
for re admission -
to citizenship.

A. Eldridge by
Blood.

"X"

-D-

First Judicial
Division Dist. Territory.

Personally
appeared before me the Subscriber
a Notary Public in and for the aforesaid
division D. T. Rebecca Eldridge.
and being duly sworn according
to law makes the following decla-
ration, to wit: I am a citizen
by birth, and 78 years of age, and
a resident of Illinois district C. M.
I am personally acquainter with
James M. Wilkerson. He resided in my
family five or six years prior to the late
war of the rebellion. He always claimed
to be a Cherokee, and I never heard that
fact disputed by any person. The said
James M. Wilkerson was engaged in
the mercantile business on a small
scale. The said James M. Wilkerson
claimed to be a relative of the Cherokee
family of "Wilkersons" who resided on
Spring River C. N. before the late
war. The said James M. Wilkerson
never went away from this country during
the war, and returned back to this coun-
try recently, and I recognize him as
being the same identical James M.

Mr. Wilkerson who resided in my family before the war, and who I believe to be a Cherokee Indian citizen by blood.

Rebecca [illegible] Eldridge.

By J. W. Brackett

Sworn to and subscribed before me this the 6th. day of September A. D. 1909.

J. W. Brackett
Notary Public
1st. Div. Ind. Terry.

Lucile Brady

Ex. D.

Lucinda Brady

Ex. D.

First Judicial
Division Indian Territory.

Personally appeared
before me the undersigned, a Notary
Public in and for the aforesaid
Division 2nd. Terry Swanday Brady
who being duly sworn as the law
directs, makes the following dec-
laration. To wit.

I am a Choctaw by
blood. I am 54 years old, and reside
in Illinois district C.N. I am perso-
nally acquainted with James M.
Williamson. I became acquainted with
him in 1855 he resided then on
the Verdigris River. He was always
regarded and looked upon as a Choc-
taw, and I never heard that fact dis-
puted by any person.

The said James
M. Williamson went away during the
war, and I recognized the said James
M. Williamson as being the same identi
cal person. knowing such him since his
return back to this country.

Swanday Brady

Sworn to and subscribed before
me on this the 9th day
of September A. D. 1892.

J. W. Braden
Notary Public
Pr. Bdle. T. T.

Evidence of
John Ward—

Memorial of James
M. Willerson—for
Re admission
to Citizen—

Ex. Co—

First Judicial
Division Cher. Territory.

I of the Ward. being
duly sworn, make the following
statement. To Wit,

I am a resident
of Coo-wee-scoo-wee district
Cher-o-kee Nation. I am 72 years
old. a native born Cher-o-kee by blood.

I became acquainted with
James Mc, Wilkerson about the
year 1852. he went by the name
of "Bureh eye Jim" I first saw
him at Bixby Eldridges on the
Verdigris River, near where the old
ferry was Kept, I was with him
off + on from that time up to about
the commencement of the war 1860
He was then recognized as a Cher-
o-kee citizen by all who knew him
I never knew his rights as a
Cher-o-kee disputed by any one
He claimed to be a Cousin of
Louis Wilkerson, but called
him Uncle—

John Hard-

Sworn to and subscribed before me
this 30th. day of September A. D. 1892,

J. W. Drake
Notary Public 1st Div

Affidavit of
D. M. Bryan.

In evidence.

Application of James
Gen. Wickersham for re-
cognition - or admittance.

Ex F.

Form No. 604
Division Indian Territory.
Chouteau I. T.

Personally appeared before me the undersigned a notary public within and for the above division I. T. J. M. Bryan. and being sworn as the law directs, makes the following statement. "To Wit"

I am a resident of Chouteau P. O. I am 83 years old. I am personally acquainted with James Wickersham I knew him before the late war of the rebellion. He about fifty years ago. he was residing on Caney creek of Illinois river C. N. he was by the name of Black eye James Wickersham. I knew him well and knew him as a citizen. and I never heard any question raised that he was not a citizen, and he was so recognized in community in which he lived. As far as I am concerned any why. I am satisfied he is a citizen Cherokee,

J. M. Bryan.

Subscribed and sworn to before
me this 18th. day September 1892

J. W. Brake
Notary Public
Port Byron N. Y.

265-2.

Affidavit of
Dr N. F. Adair

vs

Cherokee Nation.

Filed Sept 8th 1894.
A. S. McKennon
Clerk

Rejected

Indian Territory
North District

Methodist Episcopal Asylum,
Salina, Ind. Ter.
January 11th A.D. 1896

To whom it may concern,

This is to certify that this Applicant is a Cherokee Citizen by blood, that she is sixty one years of age, and was born in the old Cherokee Nation, East of the Mississippi River, in the year of A.D. 1834. That the said Applicant Vann, and with his family from the said old Cherokee Nation about the year 1837, and have lived in this present Cherokee Nation ever since the said year of 1837. That the Affiant has known the aforesaid George Wilkinson and his sons, George, John and Leonard and daughter Mary, ever since the close of the late war of the Rebellion between the United States, and the so-called Confederate States of America, a space of time, covering about 25 or 30 years. This Affiant further states, that the Wilkinson aforesaid have always enjoyed the privileges and rights of Citizenship by blood and that they are so to as such, has never been called in question or been disputed.

POOR ORIGINAL
BEST AVAILABLE COPY

Affiant also states that he knew Jno
James Wilkerson before the war. had
seen him on Several occasions and
about 4 or 5 years ago the said James
Wilkerson came in to the Country, and
settled near the head waters of Wolf Creek
in Coo-nee-scoo-nee Dist. Cherokee Nation
That affiant has always regarded Jno James
Wilkerson. Son of one Richard Wilkerson as
a blood relative of the aforenamed Geo
Wilkerson Sr and his Sons Geo Wilkerson Jr
John and Leonard Wilkerson. and therefore
regarded the said James Wilkerson a
Cherokee by blood.

Walter F. Adair
Med: Supt. A.C.O.C.
Cherokee Nation

Sworn to and subscribed before me
this the 11th day of August A.D. 1896.

D. O. Elliott
Notary Public

Northern
District

POOR ORIGINAL -
BEST AVAILABLE COPY

Affiant also state that he knew Jno
James Wilkerson ~~before the war~~ had
seen him on Several occasions and
about 4 or 5 years ago the said James
Wilkerson Come in to the Country and
settled near the head waters of Wolf Cre-
ek in Coo-ee-sco-nee Dist. Cherokee Nation
That affiant has always regarded Mr James
Wilkerson Son of one Richard Wilkerson as
a blood relative of the afore named Geo
Wilkerson Sr and his Sons Geo Wilkerson Jr
John and Leonard Wilkerson and therefore
regarded the said James Wilkerson a
Cherokee by blood.

Walter F. Adair
Med: Supt. C.N.A.
Salisaw Ind Ter

Sworn to and subscribed before me
this the 11th day of August A.D. 1846.

D. A. Elliott
Notary Public

Northern District

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End

Nation's No. 4925

Commission's No.....

In re Application of

Augustine Tonlin

Demurrer and Answer.

FILED OCT 21,
H. M. JACOWAY-
SEC.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of .....

Caroline Hunter et al

for citizenship in the Cherokee Nation.

Nation's No. .....

Commission's No. .....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Caroline Hunter et al through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Mansfield, McMurray & Cornish Attorneys.

[illegible], Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

William McDonagh

Subscribed and sworn to before me this, the 15 day of Oct 1896.

[illegible]

NOTARY PUBLIC.

APPLICATION FOR CITIZENSHIP.

To THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Angeline Harlan (nee) makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Delaney Hooper and the daughter of one Richard Redden and the ____ of one ____ who your petitioner firmly believes was ____ Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 51 years of age, his postoffice address is Grave Eater Ga. and his family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.
Ora Harlan	16	Daughter of applicant
Elijah Harlan	14	Son " "
James Harlan	12	" " "
Nelus Harlan	10	" " "
Gaylon Harlan	8	" " "

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Angeline her X Harlan mark

~~By J. W. Hamilton, Jr., Attorney.~~

STATE OF Georgia, COUNTY OF Gordon

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Angeline her X Harlan mark

Sworn to and subscribed before me this August 31st, 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

T. H. Harlin Ordinary

State of Georgia **, County of** Gordon

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mary Byrom who after being duly sworn by me, states that she is 60 years old, and is a citizen of Gordon Co. Ga and that she is personally acquainted with Angeline Harlan who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Angeline Harlan is the identical person she represents herself to be in her application for such citizenship. also that Angeline Harlan is daughter of Cearisy Hooper who was a daughter of Richard Redden and that Richard Redden was of Cherokee Indian Blood

Affiant further states that she has known the said Angeline Harlan for the past 50 years and knows that she has been recognized and treated by her neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Angeline Harlan indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Angeline Harlan is of genuine Indian blood. Affiant also swears that she has no interest in the prosecution of the claim of the said Angeline Harlan to citizenship in the Cherokee Nation, I. T.

her
Mary X Byrom
mark

Sworn to and subscribed before me this the 31st day of August 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

J. W. Harbin
Ordinary

Angelica Hudson

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Nicy Adeux makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Angeline Hemean and the daughter of Nancy Harper of one who was the and the daughter of one Richard Redden who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 33 years of age, his postoffice address is Crane Eater Ga and her family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.
Mack Adeux	15	Son of applicant
Edgar "	14	" " "
Eugene "	13	" " "
Henry "	10	" " "
Paul "	8	" " "
George "	7	" " "
Claud "	6	" " "
Laisie "	3	Daughter " "
Lothula "	1	" " "

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

her
Nicy X Adeux
mark

~~By J. W. Harmon, Jr., Attorney~~

STATE OF Georgia, COUNTY OF Gordon

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

her
Nicy X Adeux
mark

Sworn to and subscribed before me this August 31, 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

T W Harlin Ordinary

[illegible] APPLICATION FOR CITIZENSHIP

State of Georgia **, County of** Gordon

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mary Byrnes who after being duly sworn by me, states that she is 60 years old, and is a citizen of Gordon Co Georgia and that she is personally acquainted with Niey Adcox who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Niey Adcox is the identical person she represents her self to be in her application for such citizenship. Also that Niey Adcox is a daughter of Angeline Hanlan who was a daughter of Clarasy Harper who was a daughter of Richard Redden who was of Cherokee Indian blood -

Affiant further states that she has known the said Niey Adcox for the past 33 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Niey Adcox indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Niey Hanlan is of genuine Indian blood. Affiant also swears that she has no interest in the prosecution of the claim of the said Niey Hanlan to citizenship in the Cherokee Nation, I. T.

her
Mary X Byrnes
mark

Sworn to and subscribed before me this the 31" day of August 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

T W Hanlin Ordinary.

Mercy adams

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Mary Harlan makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Angelina Kennedy and she was the daughter of one Clarissy Harper and she the daughter of one Richard Riddle who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived Her Indian blood entitling Her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 25 years of age, his postoffice address is Cravens Crater Ga and family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Mary Harlan

~~By J. W. Hanson, Jr., Attorney.~~

STATE OF Georgia, COUNTY OF Gordon

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Mary Harlan

Sworn to and subscribed before me this August 31" 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

T. W. Harbin Ordinary

State of Georgia, County of [illegible]

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mary Byrom who after being duly sworn by me, states that She is 60 years old, and is a citizen of Gordon County, Georgia and that She is personally acquainted with Mary Harlan who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Mary Harlan is the identical person She represents herself to be in her application for such citizenship. and that Mary Harlan is a daughter of Angeline Harlan who was a daughter of Clarasy Hooper who was a daughter of Richard Fobbs who was of Cherokee blood -

Affiant further states that She has known the said Mary Harlan for the past 25 years and knows that She has been recognized and treated by her neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Mary Harlan indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Mary Harlan is of genuine Indian blood. Affiant also swears that She has no interest in the prosecution of the claim of the said Mary Harlan to citizenship in the Cherokee Nation, I. T.

her
Mary X Byrom
mark

Sworn to and subscribed before me this the 31st day of August 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

T. M. Hankins Ordinary

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

Mary Hourlan

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Mack Hearlson makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That he is the son of one Angeline Hearlson and the daughter of one Clarissy Kemper and the daughter of one Richard Redden who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 23 years of age, his postoffice address is ..... and his family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.
Vennie Hearlson	8 months old	Daughter

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

his
Mack x Hearlson
mark

~~by J. W. Hanner, Jr., Attorney~~

STATE OF Georgia, COUNTY OF Gordon

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

his
Mack x Hearlson
mark

Sworn to and subscribed before me this August 31, 1896, and I hereby certify that petitioner is known to me as the identical person represented in his petition and is a person of good character and worthy of credit.

T. M. Hearbin Ordinary.

State of Georgia **, County of** Gordon

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mary Byrons who after being duly sworn by me, states that she is 60 years old, and is a citizen of Gordon County Georgia and that she is personally acquainted with Mack Harlan who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Mack Harlan is the identical person he represents himself to be in his application for such citizenship.

That Mack Harlan is son of Angeline Harlan who was a daughter of Clarissy Hooper who was a daughter of Richard Redden who was of Indian Cherokee blood.

Affiant further states that she has known the said Mack Harlan for the past 23 years and knows that he has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Mack Harlan indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Mack Harlan is of genuine Indian blood. Affiant also swears that she has no interest in the prosecution of the claim of the said Mack Harlan to citizenship in the Cherokee Nation, I. T.

her
Mary X Byrons
mark

Sworn to and subscribed before me this the 31" day of August, 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

T. N. Harkins Ordinary.

Mack Haarlem

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Alice Harlan makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Angeline Harlan and the daughter of one Elenory Hooper and the daughter of one Richard Redden who your petitioner firmly believes was Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 22 years of age, his postoffice address is ..... and ..... family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

alice harlan

~~By J. W. Haynes, Jr., Attorney~~

STATE OF Georgia, COUNTY OF Gordon

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

alice harlan

Sworn to and subscribed before me this August 31, 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

T W Keenan Ordinary,

No. 4066

5468

Angeline Harlan et al

v.

The Cherokee Nation

Original

Filed 9 Sept 1896

H M Greenway

Clk

Several applicants

see written

All

Rejected -

J. M. Harris Jr

Canterville Ga

State of Georgia **, County of** Gordon

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mary Byrom who after being duly sworn by me, states that She is 60 years old, and is a citizen of Gordon County, Georgia and that She is personally acquainted with Alice Harlan who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Alice Harlan is the identical person She represents herself to be in her application for such citizenship. Also that Alice Harlan is a daughter of Angeline Harlan a daughter of Celaney Hooper who was a daughter of Richard Redden who was of Cherokee Indian blood -

Affiant further states that She has known the said Alice Harlan for the past 22 years and knows that She has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Alice Harlan indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Alice Harlan is of genuine Indian blood. Affiant also swears that She has no interest in the prosecution of the claim of the said Alice Harlan to citizenship in the Cherokee Nation, I. T.

her
Mary X Byrom
mark

Sworn to and subscribed before me this the 31" day of August 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

T M Harbin Ordinary.

Alice Harlan

United States of America,
Indian Territory,
Northern District.

I, ~~Henry~~ ~~y~~ Barritt, of Vinita, Ind. Ter., do solemnly swear that on the 9th day of Sep[illegible], 1896, I saw a package registered at the postoffice at Vinita, Ind. Ter., addresse[illegible] S. H. Mayes, Principal Chief of the Cherokee Nation, Tahlequah, Ind. Ter., and that registry receipt No. ....., received from postmaster and hereto attached is a receipt for said package, which contained true copies of the application of Angelina Harlan et al under Chero

and

and of the affidavits of attached thereto

in support of same.

Subscribed and sworn to before me on this ..... day of September, 1896.

My com. Exp.
Mch. 6-1899.

REGISTRY RECEIPT.

Post Office at VINITA, SEP 9 1896 Cherokee Nation, Ind. Ter. 189

Registered Letter Parcel No. 625 Rec'd

of

addressed to J. H. Mayes
Tahlequah I.T.
D. A. Frazier N.

End

5147

NB-5469

Mary Jane Harris Etal

vs.

Cherokee Nation

Appeal Order

U.S. Court

b-555

NOTICE.

116

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Mary Jane Harris et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Mary Jane Harris et al

to be enrolled as citizens of the Cherokee Nation, from said Commission to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 30th day of Dec. 1896 A.D. 189....

J. A. Winston Clerk.

End

5470

3470 D426

Nation's No. 4712

Commission's No.

In re Application of

James A Honna

et al

Demurrer and Answer.

FILED
OCT 21,
M JADWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. D. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of ..... Nation's No. 4712

James A Hosmer et al Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that ..... through whom the petitioner ..... claim to derive ..... right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By ..... Attorneys.

John D. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

.....

Subscribed and sworn to before me this, the ..... day of ..... 1896.

.....
NOTARY PUBLIC.

Affidavit of Witness

State of Missouri }
County of McDonald } ss.

Before me a Notary Public in and for the County and State aforesaid, personally appeared Wm Matoy who being by me duly Sworn States that he is 84 years of age and is a Citizen of the Cherokee Nation and whose Post office address is Southwest City Mo. and States that he was personally acquainted with James Matison Payne back in the old Cherokee nation, he also States that he knew Sarah Payne Sister to James Matison Payne, and that James Matison Payne left the old Cherokee nation in an early day to come to the present Cherokee nation before I left the old Nation and States that I never saw Said Payne since he left the old nation for he died before I came west. He States that Said Sarah Payne married but I was not acquainted with her husband but I believe from reports that George W. Randolph was a Son of Said Sarah Payne and States that Geo. W. Randolph was living near the line of Cherokee nation when I came to this Country and that Said Randolph traded for a Claim on whitewater Creek in Delaware District I. T. and moved on Said Claim and his right as a Citizen was not disputed so far as I Know

He further States that the above facts are to the best of his knowledge true and that he is not concerned or interested in this Claim

witnesses to mark
Alex Howard
James H. Stewart

Wm his + mark Matay

Subscribed and Sworn to before me this 2nd day of September 1896

E W Edwards
Notary Public

My Com. Expires Feb. 24, 1899.

STATE OF MISSOURI,)
COUNTY OF McDONALD.) ss.

County Clerks Certificate of Official Character.

I, Jack Baker Clerk of County Court of McDonald

County, Missouri, do hereby certify that E W Edwards

is a Notary Public in and for said McDonald County,

duly qualified to act as such; that his term of office commenced on the 25 day of

Feb 1895, and will expire on the 24 day of Feb

in the year of 1899, and that his signature as appears on the margin of this certificate is genuine.

Given under my hand and the seal of our said court. Done at

office in Pineville, Missouri, on this the 3rd day of

Sept 1896.

Jack Baker County Clerk.

OFFICIAL SIGNATURE E W Edwards

United States of America,

Indian Territory

Northern District. SS.

This day personally appeared before me the undersigned Notary Public within and for the District aforesaid Duly commissioned and acting T grove, I. T.

Peter Tabler to me personally well known whose testimony is worthy of credit who being by me duly sworn according to lawupon oath deposeth and sayeth:

" In or about the year 1880 JamesHanna a son in law of George W. Randolph, stayedover night with me/[illegible] where I now live at Grove, Cherokee Nation, I. T. JamesHanna, told my wife, who was known as Rebecca Monroe, that George W. Randolph was going to move in the nation. She told Hanna to tell him to come on. Said Hanna told her that George W. Randolph claimed that he was a Cherokee Indian. My Wife told Hanna that he was a Cherokee Indian. My Wife wife told Hanna that he was, for George W. Randolph's Mother was an own sister to James Matison Payne. "

Further Deponent sayeth not.

Peter Tabler

Subscribed and sworn to before me this 5th day of September 1896.

J. A. Carr

Notary Public.

My Comm Expires May 2, 1898.

United States of America,

Indian Territory.

Northern District. SS .

This day personally appeared before me the Undersigned Notary Public for the district aforesaid duly commissioned and acting at Grove, I. T.

Samuel N. Melton to me personally well known whose testimony is worthy of credit , who being by me duly sworn according to law upon oath deposeth and sayeth:

"I have known Judge Randolph for Forty Years--Have been living in the country with him. He always claimed to be a Cherokee Indian And that he had his claim up and came after me and wanted me to go down with him as a witness and he took sick and died before he got a hearing on his case. I XX Verily believe Judge George W. Randolph was a Cherokee Indian."

Further Deponent sayeth not.

Samuel N. Melton

Subscribed and sworn to before me this 5th Day of September 1896.

J. C. Starr

Notary Public.

MY COMMISSION EXPIRES
MAY 2nd, 1898.

Cherokee Nation }
Delaware District }

On this Day Personally Came Before me J J McGhee Clerk in and for Said Delaware District. Daniel Muskrat aged 73 years Old. who is a cherokee By Blood and a citizen of Delaware District Cherokee Nation. And he is well known by Me and is Reconized as Being a Man of Good Standing. And who after Being Duely Sworn States that he was well acquainted with George W. Randolph who he Reconized to Be a cherokee By Blood from his acquaintance he had with him.

Deponant further States that he Knew the Said George W Randolph Since about 1848. Being about 33 years And from his acquaintance with Said George W Randolph he has Ever Reason to Believe that Said George W Randolph Does a Cherokee By Blood

his
Daniel x Muskrat
mark

Witness James Ganna
Mark Collector

Sworn to And Subscribed Before me on this the 3rd day of November 1877

J J McGhee Clerk
Delaware District
Cherokee Nation

Affidavit of Daniel
Meeker 1-



page 1st

Cherokee Nation } On this day personally
Tah le quah Dist } Came Before Me Rich
Spears Deputy Clerk in and for said District
and Nation aforesaid Watson Sanders
who after Being duely Sworn by Me as the
Law Direct States that his age is 72 years old
and further states that he was personally and well
acquainted with George W. Randolph Deceased Late of
Delaware District Cherokee Nation who he Knew to Be the
Son of Sarah payne Deceased who he Knew to Be a
full sister to James Matlem payne Deceased who is well
Known to Be a Cherokee Indian By Blood and his name
is on the Cherokee Cencus Rolls Some where. George W.
Randolph was a playmate of Mine from 1830 to the year 1832
his father Moved away I did not See him any More
Untell the year 1837. when his Mother Sarah Randolph
or Sarah payne came Back and Reported Isham Randolph
the father of George W. Randolph had died they
Lived near in Georgia, then one year After she died then
after her death George W. Randolph was Bound
out I never got to See him any more untell I
Belive it was in the year 1852 I Met with him
in Neosho Missouri I asked him Why he didnt
come on down in to the Cherokee Nation he told Me
he had married and his wife would Not come any
Closter to the full Bloods But probaly would
Come Later on he Said the Man that he was
Bound to Give him a pretty good Education and

over Page 2nd

that he was practicing Law. and Witness further
states that he told him he would like to have
him to come Down he said he would as soon as
he could Witness further Stats that the next time he
Met Geo. W. Randolph he said his wife had
died and that he was coming down and
did come down to South west city Mo Where he Mar-
ried the Widow [illegible] was Well off she had Negros
And further States that the next time he Met with Geo
W. Randolph he told him he was going to come
down and Look him out a farm But Before
he came the Late War Broke out that Stopped
Every thing untill after the War When Geo
W Randolph Returned to his wifes farm Located
on the Line of Missouri and the Cherokee Nation
I.T. and after he Sold her farm he Moved
in to the Cherokee Nation in Delaware District
on Whit Water. in about the year 1880 where his
Wife Was Disputed Witness further States that
Geo W Randolph told him that he had Made two
trips Before the National Council at Tahlequah
to Be admitted to Cherokee Citizenship Witness
further Stats that he Geo. W Randolph told him
they Said he had a good Claim But he was to
Late and he Could forever Board So Geo W.
Randolph Moved from White Water
to Watts Creek from Baties Creek to
Snake Branch and from Snail Branch

POOR ORIGINAL -
BEST AVAILABLE COPY

Page 3

Cr Butins Creek a gain Ind thire he lived Ind died in about one Mile Ind a half Off me. Sarah Randolph Or Sarah poyne had 7. Seven Childrun But But Geo W Randolph Was the youngest Child Ind he Knew him But Bast for he Was just a Little older than he Was Geo W Rondolph [redacted] told Him that Coffee Randolph and one of his Sisters had come to this Country But he never Met them in this Country

his
Watson X Sanders
mark

J. G Heder
& O Edwards
Witnesses

Subscribed Before Me on this the 18th day of August A D 1896

Chas Spears
Clerk Talliquah Dist
Cherokee Nation

State of Missouri }
County of McDonald } ss.

This is to certify that we the undersigned are well and intimatly acquainted with Watson Sanders who is a Citizen of the Cherokee Nation and that we believe him to be honorable and truthfull and fully entitled to Credit as a man of truth and veracity

S. A. Yeargain
J. P. Gann

Subscribed to before me a Notary Public in and for the County of McDonald and State of Missouri on this 4th day of September 1896 and I certify that the above persons S A Yeargain and J. P. Gann are respectable and entitled to Credit.

E W Edwards
Notary Public
My Com. Expires Feb. 24, 1899.

Rebecca J. Randall

Application
for
Citizenship
to
Cherokee
In
Hon. Dawes C

Original
Testimony
Rebecca J. Randall

In Office, [illegible] 31 1896

Personally appeared before me a Notary Public in
and for the Indian Territory Rebecca J. Randall

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

Application for Citizenship

Cherokee Nation }
Indian Territory } ss In the mater of Rubina J. Randolph Claim to Citizenship. which is hereby filed a copy of which is filed in the proper office in Tahlequah Ind. Ter, I present the following fact Viz- That I was the lawful wife of one George W Randolph deceased and that I am his widow. That I have never remaried since the death of my husband the said Geo. W Randolph. That the said Geo W Randolph was a Cherokee Indian by Blood as I verialy believe and as will appear by the affidavit of one Watson Sanders which is herewith filed.

That I have four living children who are the sons and daughters of the said Geo W Randolph - Viz- Mary F. Hanna William C. Randolph, Arminta D Heiler and Isham J Randolph. That my age is Sixty (64) four years. That my husband Geo. W. Randolph was at the time of his death about seventy (73) three years old and he died in Delaware Dist Cherokee Nation in the year 1889. That in a period of thirty one years which we lived together I often heard my husband the said Geo W Randolph say he was a Cherokee by Blood That in his last sickness and just prior to his death he said to me the following words - Viz- "As shure as there is a God and as shure as we are in this house I am a Cherokee". My husband Geo. W. Randolph was a firm believer in god and in the Christian Religeon

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

That as will appear by Evidence and to my certain Knowledge the said Geo W Randolph made application for citizenship to the Cherokee Nation in or about the year 1883 but was rejected therefore, I humbly and very Respectfully make application to you, the Hon. Dawes Commission, for full and complete right in the Cherokee Nation Indian Territory

Rebeca her x mark Randolph

Witness
G. W. Watson
James Farrand

Subscribed and sworn to before me this 31st day of August 1896 personally appeared before me a Notary Public in and for Cadron District Indian Territory Rebeca Randolph

Rebeca Randolph
Application for Citizenship in Cherokee Nation
Hon. Dawes C.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

REGISTRY RECEIPT.

Post Office at [redacted] 189

Registered (Letter / Packet) No. 6373 Rec'd [redacted] 189

of Jno Hanlon

addressed to J. Schlegel Dat

Da Lampasas T.P.M.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., Sept 8th 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, W. C. James, do solemnly swear that on the 8th day of Sept, 1896, I saw a package registered at the postoffice at Vinita, Ind Ter. addressed to The Hon S. H. Mayes, ~~Governor of~~ Chief of the Cher Nation, Tahlequah, Ind. Ter., that registry receipt, No. 633, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Jesse Bertrand and of the affidavits of Wat Sanders, W. H. Mayes, Daniel Matthews and Peter Tables, Dan Marcat in support of same.

W. C. James

Subscribed and sworn to before me, on this 8th day of Sept 1896.

Harvey E Dow - Clerk
Notary Public, My Commission Expires May 11th, 1900.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

~~For the Commission~~

John G Hesler Wife

Application
for
Citizenship to
Cherokee Nation I.T.

Hon Dawes commission

Application for Citizenship To Cherokee Nation Ind Ter

Cherokee Nation } ss.
Ind Ter }

Now comes John G Heeler & wife Aminta P. Heeler and make application for full and complete rights and perrilege to citizenship in Cherokee Nation Indian Territory. That I John G Heeler is the lawfull husband of Aminta P Heeler Who is the legitimate daughter of George W Randolph deceed. That we the said Heeler and wife have three living Children-by- Cora F. Heeler, Zaneia J Heeler, John F Heeler. All of Whome we humbly ask you the Hon. Dawes Commission to inscribe on the rolls of the Cherokee Nati. Ind Ter

John G. Heeler,

R. Mintie P. Heeler.

Subscribed and sworn to before me/this Notary Public in and for the county of McDonald State of Missouri duly commissioned and acting at Southwest City, Mo. This 4th day of Sept. 1896.

E. W. Edwards,
Notary Public. My Com. Exp
Feb. 24th 1899.

I hereby certify that the above is a true copy of the original witness my hand and seal this sept 5, 1896.

J C Starr
Notary Public.
MY COMMISSION EXPIRES
MAY 2nd, 1898.

Certificate of Official Character of Magistrate.

(Official Signature of Magistrate.) J. Horace Spurgeon

STATE OF MISSOURI, } ss.
County of Jasper. }

I, S. A. STUCKEY, Clerk of the County Court of the County and State aforesaid, do hereby certify that J. Horace Spurgeon is a Notary Public in and for said County duly qualified to act as such; that his term of office commenced on the 23 day of January, in the year 1896, and will expire on the 22 day of January, in the year 1898, and that his signature, above written, is genuine.

GIVEN under my hand and seal of the said County at Carthage, Missouri, on this 21 day of August 1896

S. A. Stuckey
CLERK OF THE COUNTY COURT.

Deputy.

fee 50¢

State of Missouri } ss
Jasper County }

Josie E Randolph of Lawful age being duly sworn says that she is the wife of J. J. Randolph and was married to him on the 4th day of October 1890 in the County of McDonald in the State of Missouri that there was two Children born to said marriage named as follows Billie J. Randolph born October 22nd 1891 and George W. Rondolph born march 13th 1894 that they are now living with myself and husband in the County of Jasper and State of Missouri

Josie E. Randolph

Subscribed and sworn to before me this 20th day of August 1894

J. Horace Spurgeon
Notary Public

My Com Exp Jan 22nd 1898

Post office South West City Mo

State of Missouri }
County of McDonald } ss.

Before me a Notary Public in and for the County and State aforesaid personally appears Mary E. Randolph who states that her age is 17 years and that she is the wife of Wm L. Randolph and that she has one Child by said marriage, Named Mary J. Randolph was born June 24th 1895 and is still living She further States that She is a resident of Delaware District Ind. Ter. and that her Post Office address is Southwest City Mo.

Mary E. Randolph

Subscribed and Sworn to before me this 4th day of Sept. 1896

E W Edwards
Notary Public

My Com. Expires Feb. 24, 1899.

to the
Honorable
Dairy
Commission

nville. Va . Comission

ntle men I will rite a few
ines as the lawyers do this to you tell
me that you want Paying attension to
my Claim as it had been gone I will
say to you gentle men that i Did the
Best i Could now gentle i ask you to look
at the evidence + if the Wife of
George W. Randolph has been right
to Calzon Ship in Cherokee Nation Bears
enroll . Mary . E. Hanna , W. C. Randolph
& Martin D. Kesler & J. F. Randolph
Which are the Sons + Daughters of george W
Randolph & Wife Rebecca. J. Randolph
+ their Children Intended or
named in apply Cation

Respectfully yours
James R. Hanna

POOR ORIGINAL -
BEST AVAILABLE COPY

James H Hanna 5470
+ wife

No 2297

Application
for
Citizenship
to
Cherokee Nation
Ind Ter.

Hon Dawes Commission

Filed Sept 8-1896
A S McKennon
Comm

Denied

Cher
Ter Nation
Ind Ter

State of Missouri }
~~Indian Nation~~ } ss.
~~Ind Ter~~
County of McDonald }

Now come James H Hanna and wife Mary F Hanna and make application for the right and prevaliges of full and complat citizenship in Cherokee Nation Indian Ter. That I James H Hanna is the lawfull husband of Mary F. Hanna who is the legitimate daughter of Georgi Ann Randolph deceased. That we the said Hanna and wife have seven children-Viz- Minta P. Hanna Georga a Hanna, Ellen L Hanna, Laura F Hanna James R Hanna. Thomas C. Hanna, Viola M Hanna All of Whom Respectfully ask you the Hon. Dawes commissoner to incribe on the Roll of the Cherokee Nation Ind Ter.

James H Hanna
Mary F Hanna

Subscribed and sworn to before me a Notary Public in and for the County of McDonald and State of Missouri duly Commissioner and acting at South west City Mo. This 4th day of Sept. 1896

E W Edwards
Notary Public

My Com. Expires Feb. 24, 1899.

POOR ORIGINAL -
BEST AVAILABLE COPY

Nation's No. 707.

Commission's No .....

In re Application of

James Haney, et al.

Demurrer and Answer.

FILED SEPT. 25 1896

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

James Haney, et al. Nation's No. 707.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Kissire Jolly through whom the petitioner s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory. as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

D. J Ball

NOTARY PUBLIC.

End

5471.

APPLICATION FOR CITIZENSHIP.

TO the Honerable Henry L Dawes & Commissioners of Indian affairs

The und sighned, your petitioner, this day makes this his application for citizenship in the Cherokee Nation Indian Territory in accordance with the laws and constitution of said nation and respectfully makes the following statement of te grounds of this his application to wit:

That he is a son of the Mat. G. Howell and the grandson of Matthew Howell who the undesighned fully believes was an indian belonging to said tribe.

That the undesighned hereby presents the above facts as the lawful grounds for this his application for his citizenship by blood

be truly read and passed upon.

Respectfully Submitted.

Age 60 Years. Postoffice Kilgore Texas

No.	Name	Sex.	Relationship.

In witness of which Application, I hereto set my hand, on this th—

1 day of September 1896.

his
Nathan + Howell
mark

Sworn and subscribed to before me
this the 5th day of September A D 1896

J L Sparrow Notary Public
In and for Rusk County Texas

Nathan Hodges

½

Demo

AFFIDAVIT OF WITNESS.

State of Texas,
County of Rusk

Before the undesighned a Notary Public, in and for the county tf the state for said personally appeared James Alford

who after being duly sworn, states that he is forty three years of age and is a citizen of Rusk County, and state of Texas and that he is personally acquainted with Nathan Howell Jr who is an applicant for citizenship in the Cherokee Nation, IND.TER. and Affiant further states that Joe Howell is the identical person that represents himself to be in this his application for citizenship in said nation and that the said Joe Howell is a son of Nathan Howell and grandson of Matthew howell, his father and grandfather lived in Sumpter County Alabama I lived near them and was intimately acquanted with his whole family Matthew Howell was known and recognised by all the Knew them as full blood cherokee Indians Matthew Howell had seven children Matthew howell JR. Nathan Howell JR. Ike Howell James, Howell, Zany Howell who married a man by the name Jackson Jane Howell who married a man by the name of Talbert Ann. Howell who married a man by the name of Daniel Affiant further states that he has been acquanted with the said Nathan Joe Howell for the past forty years and knows that he is and has been treated and recognised by his neighbors, acquentences, and the public generally as a person having Cherokee Indian Blood, and that the complexion and phisical appearance of the said Nathan Howell indicate that the said Nathan Howell JR, is of Indian blood. that from the above facts and circumstances, and from statements made to me by the said Nathan Howell JR his father and grand father is of Cherokee Indian Blood.

Affiant further states that he has no interest, whatever, in the prosecution of the claim of the said Nathan Howell to citizenship in the Cherokee Nation IND.TER.

James A Alford

Subscribed and sworn to this before me this the fifth day of September A.D. 1896. and I further certify that I am well acquanted with the said James A Alford and know him to be a person of credibility and of truth and verasity.

W H Glenn ..... Notary Public

My commission expires on the ... day of ... 189 ... 19

and for Rusk County - Tex

AFFIDAVIT OF WITNESS.

State of Texas,
County of Rusk

Before the undesighned a Notary Public, in and for the county tf and state foresaidpersonally appeared James Alford

who after being duly sworn, states that he is forty three years of age and is a citizen of Rusk County, and state of Texas and that he is personally acquainted with Nathan Howell JR who is an applicant for citizenship in the Cherokee Nation, IND.TER. and Affiant further states thatJoe Howell is the identical person that represents himselfto bein this his applicationfor citizenship in said nation and that the said Joe Howell is a son of Nathan Howell and grandson of Matthew howell, his father and grandfather lived in Sumpter County Alabamma I lived near them and was intimately acquantedwith his whole familyat Matthew Howell was known and recognised by all the knew them as full blood cherokee indians Nathan Howell Matthew Howell now had seven children - Matthew howell JR. Nathan Howell JR. Ike Howell Jane, Howell, Zany Howell who married a man by the name Jackson Jane Howell who married a man by the name of Talbert Ann Howell who married a man by the name ofDaniel. Affiant further states that he has been acquanted with the said Nathan Howellfor the past forty years and knows that he is and has been treated and recognised by his neighbors, acquentances, and the public generally as a person having Cherokee Indian Blood, and that the complexion and phisical appearance of the said Nathan Howell indicate thatthe said Nathan Howell JR is of indian blood. that from the above facts and circumstances, and from statements made to me by the said Nathan Howell JR his father and grand father is of Cherokee Indian Blood.

Affiant further states that he has no interest, whatever, in the prosecution of the claimof the said Nathan Howell to citizenship in the Cherokee Nation IND.TER.

James A Ford

Subscribed and sworn to this before me this thefifth day of September A.D. 1896. and I further certify that I am well acquanted with the said James A Alford and know him to de a person of credibility and of truth and verasity.

W E Hunter Notary Public

My commission expires on the day of 189 I9
and for Rusk County - Tex

POOR ORIGINAL -
BEST AVAILABLE COPY

APPLICATION FOR CITIZENSHIP.

To the Honorable Henry L Dawes Chairman of the Commissioners to Indian Affairs

The undesighned, yourn petitioner, this day her application for citizenship in the Cherokee Nation Indian Teritoxy. In accordance with the conatitution and laws of said nation and respectfully submits and makes the following statement of the grounds of this her appplication, to wit:

That she is a daughter of nathan Howell who resided in Chambers County Ala. and a Granddaughter of matthew Howell who resided in Tuscaloosa County Ala. and is a sister to Ike howell Nathan Howell Matthew Howell JR. and James Howell and is a sister to Zany Jackson and Annibannal. that Matthew was a Full blood Cherokee Indian. that the Undesighned hereby presents the above facts as her lawful grounds for this her application for citizenship by blood and respectfully awaits the time when her application shall be truly read and passed upon.

Respectfully Submitted.

NO.	NAME.	AGE.	YEARS	POSTOFFICE	SEX.	RELATIONSHI
	Allice Jackson.	Girl.				Matthew Howell Nathan Howell Sisters of Zany Jackson
	Willie Jackson.	Male.				
	Herbert Jackson.	Male				
	Kuysel Jackson.	Male				
	Hager Jackson.	Female.				
	Nathan Jackson.	Male.				
	Riddie Jackson.	Female.				
	Robert Jackson.	Male				
	Cephus Jackson.	Male.				
	Rosie Jackson.	Female.				

Children of Zany Jackson & Jerry Thurman were born in Limestone Co Texas

IN witness of which application, I hereto set my hand, on this the 5 day of September 1896.

her
Zany x Jackson
mark

Subscribed to and sworn to before me this the 5th day of September A D 1896

Notary Public
in and for Rusk County Texas

POOR ORIGINAL -
BEST AVAILABLE COPY

Jany Jackson

1 f: Amen

AFFIDAVIT OF WITNESS.

State of TEKas

COUNTY OF Rusk

Before me the undesigned a notary public, in and for the state an county aforesaid personally appeared James Alford who after by me being duly sworn states that he is forty three years of age and is a citizen of Rusk Countyan d State of Texasand that he is personally acquanted with Zany Jackson who is an applicant for citizenship in the Cherokee Nation IND.TER. and affiant further states that the said Zany Jackson is the identical person that represents herself to be in this her application for citizenship in said nation, and that the said ~~the said~~ Zany Jackson is a daughter of Nathan Howell and a granddaughter of Matthew Howell, her father and grand father lived in ~~Sumpter~~ Chamberl County ALA.T lived near them and was entimately acquanted with their families. Matthew Howell was known and recognised by all that knew him as a full blood Cherokee Indian. Nathan Howell Matthew howell, s son had sever children Matthew Howell JR. Nathan HowellJR. Ike Howell James Howell Jane Howell who after married a man by the name of Talbert Ann Howell who married a man by the name of Dannal and Zany Howell who married a man by the name of Jackson that he has been acquanted with the said Zany Jackson 40 years and knows that he is and has been treated and recoognised by his neighbors, acquantances, and the public generallyas a person having Cherokee Indian blood and that the complexion and phisical appearance ofthe said Zany Jackson indicate thatthe said Zany Jackson is of indian bloodthat from the above facts and circumstances, and from statements made to me by the Applicants and by statements made to me by the applicants father and grandfathep the said Zany Jackson is of cherokee indian blood.

Affiant further states that he has no interest, whatever, in the prosecution of the said Zany Jackson to citisenship in the cherokee nation IND.TER.

James Alford

Subscribed and sworn to before me this the fifth day of September A.D.1896 and I further certify that I am well acquanted with the said James Alford and know him to be a person of credibility and of truth and verasity.

Wadsworth Notary Public.

My commission expires on the day of 189

ex and for Rusk County Tex

APPLICATION FOR CITIZENSHIP.

To the Honorable Henry L Dawes Chairman of the Commissioners of Indian Affairs

The undesigned,yours petitioner,this dayher application for citizenship in the Cherokee Nation Indian Teritory.In accordance with the constitution and laws of said nation and respectfully submits and makes the following statement of the grounds of this her application,to wit?

That she is a daughter of nathan Howell who resided in Thompson County Ala,and a Granddaughter of matthew Howell who resided in Thompson County Ala. and is a sister to Ike howell Nathan Howell Matthew Howell JR.and James Howell and is a sister to Nany Jackson andAnnDannal. that Matthew was a Full blood Cherokee Indian.

That the Undesighned hereby presents the above facts as her lawful grounds for this her application for Citizenship by blood and respectfully awaits the time when her application shall be truly read and passed upon.

Respectfully Submitted.

NO.	NAME.	Age. 50 YEARS	POSTOFFICE Bracken Texas BRC.	RELATIONSHI
1.	Cardy Dannal.	Female.		
2.	William Dannal.	Male.		
3.	Major Dannal.	Male.		
4	Mary Jane Dannal.	Female		
5	Emma Dannal.	Female.		
6	George Dannal.	Male.		
7.	Joseph Dannal.	Male.		

IN witness of which application,I hereto set my hand,on this the 5 day of September 1896.

her
Nancy Dannal
mark

Sworn to and subscribed to before me this the 5th day of September A D 1896

J Lee Thomas - Notary Public in and for Rusk County Texas

Anna Danal

Dennis

Affidavit of Witness

State of Texas

County of Smith

Before me the undesighned a Notary Public in and for the state and county aforesaid personally appeared Nathan Jackson who after by me being by me duly sworn states that he is 47 years old and is a citizen of Smith county Texas and is personally acquainted with Ann Daniel who is an applicent for citizenship in the Cherokee Nation Ind.Ter.and Affiant further states that the said Ann Daniel is the identical person that she represents herself to be in that is her application for citizenship in said nation and that the said Ann Daniel is a daughter of Nathan Howell and a grand daughter of Mtthew Howell. Her Father and Grand Father lived in Chambers Ala. I lived near them and was intimately acquainted with their families .Nathan Howell was known and recognised by all that knew him as a full blood Cherokee Indian Nathan Howell Matthew Howell,s sons had seven children Matthew Howell Jr. Nathan Howell,Jr. Ike Howell,Joe Howell,Jane Howell who married a man by the name of Talbert , Ann Howell who married a man by the name of Daniel and Zany Howell who married a man by the name of Jackson that he has been acquainte with the said Ann Daniel Forty years and knows that she is and has been treated and recognised by her neighbors and acquantences and the public generallyas a person having Cherokee Indian bloodand that the the complexion and traits of said Ann Daniel indicate that the is of cherokee indian bloodthat from the above facts and circumstances and from statements made to me by the applicants father and grand father the applicant is of Cherokee Indian blood.Affiant further states that he has no interest in the prosecution of the said Ann Daniel to citizenship in the Cherokee NationInd.Ter.

Nathan his X Jackson mark

Sworn and subscribed to before me this the 5 th day ofSeptember A.D.1896 and I further state that that I,am well acquanted with the said Nathan Jackson have know him to be of credibility and of truth and veracity. N. Dunstwood

Notary Public. in and for Smith County Texas

POOR ORIGINAL - BEST AVAILABLE COPY

APPLICATION FOR CITIZENSHIP.

To the honorable

The undesighned your petitioner,this day makes her application for citizenship in the Cherokee Nation Ind.Ter.In accordance with the constitution and laws of said nation and respectfully submits and makes the following statementof the grounds of this her application to wit

that she is a daughter of Nathan Howell.who resided in sumpter County Alabamma and a granddaughter of Matthew Howell.who resided in ~~sumpter~~ Greene County ALA.

and is a sister to Ike howell Nathan Howell,Jr.Matthew Howell Jr. and James howell and a sister to Zany Jackson and ~~Jane~~ Ann Eliza Talbert.

that Matthew Howell was a full blood cherokee indian.

That the undesighned hereby presents the above facts as her lawful grounds for this her application for citizenship by blood and respectfully awaits the time when her application shall be truly read and passed upon

Respectfully submitted.

Age 10 Years. p.o. Browning Texas

No.	Name.	sex.	Relationship
1.	Lettace Talbert.	Female.	
2	Charles Talbert.	Female~~x~~ Male.	
3.	Isthan Talbet.	Male.	
4.	Mariah Talbert.	Female.	
5.	Henryetta Talbert .	Female.Her name now is Henrietta King	
6.	Onarat. Talbert.	Male. has made application in that	
7	Sidney Talbert.	Male.	

in witness of which application,I hereto set my hand,on this the 5 day of Sep 1896.

her
Jane X Talbert
mark

Sworn and subscribed to before me this the 5 th day of Sep. A.D 1896

L. L. Spencer Notary Public
in and for Rusk
County Texas

Jane Talbert

Denied

AFFIDAVIT OF WITNESS.

State of Texas

County of Rusk

Before me the undersigned a Notary Public, in and for the county and state aforesaid personally ~~appeared James A. Ford~~ Nathan Jackson who after by me being duly sworn states that he is ~~forty eight~~ forty years of age and is a citizen of ~~Rusk~~ Smith County, and State of Texas and that he is personally acquainted with ~~Henrietta King~~ Jane Talbert, who is an applicant for citizenship in the Cherokee Nation, Ind. Ter. and affiant further states, that the said ~~Henrietta King~~ Jane Talbert, is the identical person that represents herself to be in this her application for citizenship in said Nation and that the said ~~Henrietta King is a daughter of Jane Talbert~~ Jane Talbert, that Jane Talbert is a daughter of Nathan Howell, that Nathan Howell was a son of Matthew Howell who was known and recognized to be a full blood Cherokee Indian and they resided in Sumpter County, Ala. Affiant further states that he has known the said ~~Henrietta King~~ Jane Talbert for the past ~~14~~ 40 years and knows that she is and has been treated and recognized by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Henrietta King indicate that she ~~Henrietta King~~ Jane Talbert, is of Indian blood and from the above facts and circumstances and from statements made to me by the said ~~Henrietta King~~ Jane Talbert and her mother, Jane Talbert, her grandfather, Nathan Howell, and her great grand father, Matthew Howell, ~~Henrietta King~~ is of ~~Indian~~ Cherokee Indian blood. Affiant further states that he has no interest, whatever in the prosecution of the claim of said ~~Henrietta King~~ Jane Talbert to citizenship in the Cherokee Nation, Ind. Ter.

his
Nathan Jackson
mark

James A. Ford

Subscribed and sworn to before me this the fifth day of September, A. D., 1896, and I further certify that I am well acquainted with said ~~Nathan Jackson~~ and know him to be a a person of credibility and of truth and veracity.

L. G. Simms
Notary Republic

My commission expires on the ____ day of ____ 189

-2-

Henry L Dawes Chairman
of the Commissioners of Indian affairs

[illegible] Indian [illegible] constitution of said [illegible]
[illegible] respectfully makes the following statement of the [illegible]
[illegible] relationship to [illegible];

That he is a son of Nathan Powell and a Grandson of Matthew _
[illegible] full believes [illegible] Indian belonging
to said tribe.

The undersigned hereby presents the above facts as the lawful [illegible]
[illegible] respectfully [illegible] the time when his application shall be read
and passed upon.

Respectfully submitted.

Family, with years, relationship [illegible]

Age 40 years, Postoffice Brownwood Texas

Family, with their relationship attached as follows:

No.	Name.	Sex.	Relationship.
1.	Eliza King.	Female.	
2.	Lena King.	Female.	
3.	George King.	Male.	
4.	Eddy King.	Male.	
5.	Timmy King.	Male.	

In witness of which application, I hereto set my hand, on this the
5 day of September 1896 Nathan Powell
Subscribed and sworn to before me this the 5 day of Sept 5th 1896

Bob Sparkes Notary Public
in and for Rusk county Texas

Henrietta Ruiz

1

2

Denied

Than Jackson ford
forty eight
Choctaw

Chambers

40

Nathan his mark Jackson Jr ford

Subscribed and sworn to before me this the fifth day of septembe
A.D. 1896 and I further certify that I am well acquainted with the
said Nathan Jackson Jr ford and know him to be a person of
credibility and of truth and veracity.

Notary Public.

My commission expires on the 5 day of June 1899

POOR ORIGINAL -
BEST AVAILABLE COPY

Testimony of Mathew Howell of
Gregg Co Texas

I hereby certify that I am
a son of Nathan Howell
and a grand son Mathew Howell
he was a full blood Cherokee
Indian, I have got three brothers
and three sisters now living
Joe Howell, Nathan Howell & Rebecca
Jane Folbert Ann Daniel and
Gary Jackson

Witness Chas Carder
Sworn to and Subscribed to
before me this the 3 day of
September A D 1896

his
Mathew + Howell
mark

Jas A Lott
Clerk Smith Co Texas

Testimony of Early King

I am the husband of Henrietta ~~Tolbert~~ King Her Maiden name was Henrietta Tolbert Her Fathers ~~name~~ is Dennis Tolbert and her mothers name is Jane Tolbert

I hereby Testify that the above and foregoing is a just and true Statement

witness R S Parker

Early his + mark King

Sworn and subscribed to before me this the 3 day of September A D 1896

Jas. A. Lott

Clerk D. Co & Smith Co Texas

Nation's No. 3090.

Commission's No.....

In re Application of

Ike Howell, et al.

Demurrer and Answer.

FILED SEPT. 29 1896.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Ile Howell, et al. Nation's No. 3090.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mather Howell through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the 25 day of Feb. 1896.

D. F. Ball

NOTARY PUBLIC.

Nation's No. 3097.

Commission's No. .....

In re Application of

Nathan Howell, et al.

Demurrer and Answer.

FILED SEPT. 8 1896.

A. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Nathan Howell, et al. 3097.
Nation's No.
Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Jackson Howell through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 25 day of Sept., 1896.

D. J. Ball
NOTARY PUBLIC.

Application for citizenship.

To the Honorable Henry L. Laws Chairman of the Commissioners of Indian Territory Cherokee Nation.

The undesigned your petitioner, this day makes this his application for citizenship in the Cherokee nation in the Indian Territory in accordance with the Constitution and laws of said nation and respectfully makes the following statementof the grounds of this his application, to Wit:

That I am a son of Nathan Howell Who resided in Lebanon County ALA. and a grandson of Matthew Howell ~~Howell~~ ~~Hallowell~~ who was a full blood CherokeeIndian. the undersigned hereby presents the above facts as to lawful grounds of this his application for his Citizenship by blood, and respectfully awaits, the time when this his application shallbe truly heardand tried, Age

Age. 47 years, P.O. Braning Texas

Family with their relationship attatched as follows:

No.	Name.	Sex.	Relationship.
1	Marthery Howell.	Female.	
2	Nollie Howell.	Female.	
	Matthew Howell.	Male.	
4.	Joe Howell.	Male.	
5	Mooddie Howell.	Female.	
6.	Majar Howell.	Male.	
7.	Cass Howell.	Male.	
8.	Leetha Howell.	Female.	
9.	Winnie Howell.	Female	
10.	Walter Howell.	Male.	

I hereby certify that these are all my Children and were all born in Sanford Indian Ter.

In witness of which application I hereto set my hand on this the 5 day of September A.D.1896

Subscribed and sworn to before me thisthe 5 day ofSep. 1896

his
Joe Howell
mark

J. L. Rushes - Notary Public
In and for Rushes
Texas

Joe Hamill

Deed

AFFIDAVIT OF WITNESS.

State of Texas
COUNTY OF Rusk

Before me the undesignned a notary public, in and for the state an county aforesaid personally appeared James Alfred who after ov me being duly sworn states that he is Forty Three years of age and is a citizen of Rusk Countyan d State of Texasand that he is personally acquanted with Joe Howell who is an applicant for citizenship in the Cherokee Nation IND TER. and affiant further states thathe said Joe Howell is the identical person that represents himself to be in this ~~his~~ application for citizenship in said nation and that the said ~~the said~~ Applicant for Citizenship is a ~~daughte~~ Son of Nathan Howell and a grand daughter of Matthew Howell, his father and grand father lived in Chamber County ALA. I lived near them and was entimately acquanted with their family, Matthew Howell was known and recognised by all that knew him as a full blood Cherokee Indian, Nathan Howell Matthew howell, a son, had seven children Matthew Howell Jr. Nathan Howell, Jr. Ike Howell Thomas Howell Jane Howell who after married a man by the name of Talbert, Ann Howell who married a man by the name of Dannal and Mary Howell who married a man by the name of Jackson that he has been acquanted with the said Joe Howell Forty years and knows that he is and has been treated and recognised by his neighbors, acquantances, and the public generallyas a person having Cherokee Indian blood and that the complexion and phisical appearance ofthe said Joe Howell indicate thatthe said Joe Howell is of Indian bloodthat from the above facts and circumstancesand from statements made to me by the said Joe Howell and by statements made to me by the applicants father and grandfather the said Joe Howell is of cherokee Indian blood.

Affiant further states that he has no interest ,whatever, in the prosecution of the said Claim of Joe Howell to citizenship in the cherokee nation IND.TER.

James Alfred

Subscribed and sworn to before me this the fifth day of September A.D.1896 and I further certify that I am well acquanted with the said James Alfred and know him to be a person of credibility and of truth and veracity.

W. G. Sparks Notary Public.

My commission expires on the day of 18

Notary Public in and for Rusk County Texas

APPLICATION FOR CITIZENSHIP.

TO the honorable Wm J. Dawes Chairman of Commissioners
The undesighned your petitioner,this day makes her application for citizenship in the Cherokee Nation Ind.Ter.In accordance with the constitution and laws of said nation and respectfully submits and makes the following statementof the grounds of this her application to wit

that she is a ~~daughter~~ son of Nathan Howell.who resided in ~~Sumpter~~ Chambers County Alabama and a ~~granddaughter~~ son of Matthew Howell.who resided in ~~Sumpter~~ Chambers County ALA.

and is a ~~sister~~ Brother to Ike Howell Nathan Howell,Jr.Matthew Howell Jr. and James Howell and a sister to Mary Jackson and Jane Talbert, and Emma Dawson

that Matthew Howell was a full blood cherokee indian.

That the undesighned hereby presents the above facts as her lawful groundsfor this her application for citizenship by blood and respectfully awaits the time when her application shall be truly read and passed upon

Respectfully submitted.

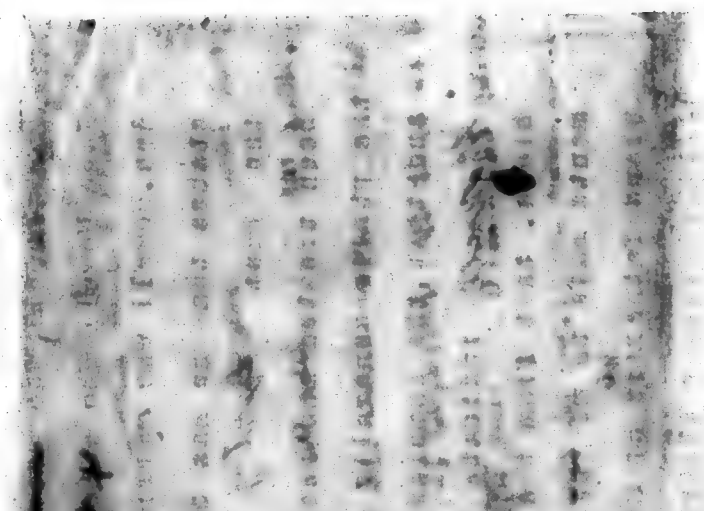
Age 40 Years. P.O. James Talbert Jr Talbert

No.	Name.	sex.	Relationship

in witness of which application,I hereto set my hand,on this the 5 day of September 1896.

his
Ike X Howell
mark

Sworn and subscribed to before me
This the 5th day of Sept. Tember A.D 1896
L B Spurlock Notary Public
in and for North County Ind Ter



AFFIDAVIT OF WITNESS.

State of Texas.
County of Rusk

Before the undesighned a Notary Public, in and for the county of and state aforesaid personally appeared James Alfred

who after by me being duly sworn, states that he is forty Three years of age, and is a citizen of Rusk County, and state of Texas and that he is personally acquanted with Joe Howell who is an applicant for citizenship in the Cherokee Nation, IND.TER. and Affiant further states that Joe Howell, is the identical person that he represents himself to be in this his application for citizenship in said nation and that the said Joe Howell is a son of Nathan Howell and a grandson of Matthew howell, his father and grandfather lived in Hempstead County Alabamma. I lived near them and was intimately acquanted with his whole family Matthew Howell was known and recognised by all that knew him as a full blood cherokee indian Nathan Howell Matthew Howell had seven children Matthew howell JR. Nathan Howell JR. Ike Howell James Howell, Mary Howell, Who afterwards married a man by thi name Jackson Jane Howell Who afterwards married a man by the name of Talbert Ann. Howell who married a man by the name of Dannal. Affiant further states that he has been acquanted with the said Joe Howell for the past forty yearsand knows that he is and has been treated and recognised by his neighbors, acquantances, and the public generally as a person having Cherokee Indian Blood, and that the complexion and phisical appearance of the said Joe Howell indicate that the said Joe Howell is of indian blood. that from t e above facts and circumstances, and from statements made to me by the said Joe Howell, his father and grand father is of Cherokee Indian Blood.
Affiant further states that he has no interest, whatever, in the prosecution of the claim of the said Joe Howell to citizenship in the Cherokee Nation IND.TER.

James A Gerald

Subscribed and sworn to this before me this the fifth day of September A.D. 1896. and I further certify that I am well acquanted with the said James Alfred and know him to be a person of credibility and of truth and veracity.

J C Chambers Notary Public

My commission expires on the day of 189 9

APPLICATION FOR CITIZENSHIP.

To the Honorable Dawes Chairman of the Commissioners af Indian affairs.Venita I.T.

The Undesighned your Petitioner,this day makes this his applicatio for citizenship as Guardian for the Minor heirs of Emily Oliver dec'd for citizenship in the Cherokee Nation Ind.Ter. in accordance with the laws and constitution and of said nation and makes the following statement of the grounds of his application as guardia for said ANNA ~~Howell~~ Oliver, Bell Oliver, ~~Wallace~~ Oliver, ~~Allen~~ Oliver, Willie Oliver, the minor heirs of Emily Oliver deatto wit:

That he was appointed guardian of said children by will and that they are the children of ~~Emily Howell~~ Emily Oliver that Emily Oliver was the daughter of Lettie Howell Decat that Lettie Howell was a daughter of Nathan Howell and that Nathan Howell was a son of Matthew Howell Who resided in Chambers County Ala.and that Matthew Howell was a Full Blood Cherokee Indian'

The undesighned hereby presents the above facts as the lawful grounds for this his application as Guardian for said Minor Children of the sad Emily Howell Dec'd for citizenship in the Cherokee Nation Ind.Ter. for citizenship by blood and respectfully waits the time when his application shall be read and passed upon.

Respectfully submitted.Ag

Age 52 years, P.O. his Mathew + Howell mark

Family with their relationship attached as follows to wit:

No.	Nam.	Sex.	Relationship.
	Anna	Female	Daughter
	Bell	"	"
	Wallace	Male	Son
	Allen	Female	
	Willie	"	

In witness of which application,I herete set my hand on this the 7 day of September A.D. 1898 his John + Howell mark

Sworn and subscribed to befor me this the 7 day of Sep.1898.

G.B.Rambo Notary Public

In and for the county of Smith state of Texas.

Matthew Howell
et al

Denied

AFFIDAVIT OF WITNESS.

State of Texas,
County of Smith

Before me the undesighned a notary public, in and for the state and county aforesaid personally Dennis Talbert, who after by me being duly sworn states that he is 80 years old and is a citizen of Smith County Texas and that he is personally acquanted with Anna Oliver, Bell Oliver, Mallace Oliver Alice Oliver and willie Oliver who are minor children of Emily Oliver Decst and with Matthew Howell, their applicant as Guardian of said Minor children for citizenship in the Cherokee Nation Ind Ter. And Affiant further states that the said Matthew Howell, is the identical person that he represents himself to be in this his application as Guardian for the minor Children of Emily Oliver decst for citizenship in the Cherokee Nation Ind.Ter. Affiant further states that said minor children of Emily Oliver are the grand children of Lettie Howell Decst and that Lettie Howell was the mother of Emily Oliver, that Lettie Howell was a daughter of Nathan Howell and a sister of Nathan Howell, Jr. Matthew Howell, Jr. Ike Howell, Joe Howell Zany Jackson, Ann Tannal and Jane Talbert and that Nathan Howell was a son of Matthew Howell who was a full blood Cherokee Indian and resided in Chambers County Alabauma Affiant further states that he lived near Matthew Howell in Chambers county Ala. and was intimately acquanted with him and his family he there and Affiant further states that Matthew Howell was known and recognised by all that knew him as a fool Blood Cherokee Indian.

Affiant further states that he has been acquanted with the Howell family for the last seventy years and I know that they have got Cherokee Indian blood. Affiant further states that he has no interest, whatever in the, prosecution of the claim s of said minor children of Emily Oliver decst. to citizenship in Cherokee Nation.

Dennis Talbert

Subscribed and sworn to before me this the 7 th day of SEP A.D. 1896 and I further certify that I am well acquanted with the said Matthew Howell and know him to be a person of credibility and of truth and veracity.

G. B. Prather Notary Public

My commission expires on the 3rd day of Nov 1896

I am a Son of Nathan
Howell and a ~~Grandson~~ of
Nathan Howell. I have got
three Brothers and three
Sisters now living in Smith
and Gregg Coun[illegible] I was My
Brothers Name is Nathan Jr.
Howell the Howell Nathan Sr.
Howell. My Sisters names
are Jane Tolbert, Ann Daniel
and Barry Jackson, My Sisters
are all Married.
I Hereby Testify that the above
is a True Statement
Witness W. K. Parker
Jos his + mark Howell
Sworn and subscribed to
before me this the 3 day of Sep
1896

Jno A Lott Clerk
Co Ct Smith Co. Texas

Testimony of Nathan Jackson
of Tyler Texas,
I am the Husband of Gaing-
Jackson she has ~~three~~ four
brothers and two sisters now
living. Her Brothers are ~~Holland~~
~~Howell~~ Mathew Howell, Henry Howell
Nathan Howell and Joe Howell her
Sisters names are Ann Daniel
and Jane Tolbert
I hereby testify That the above
and foregoing is a just and
true Statement of Nathan Jackson
Sworn and Subscribed to
before me this the 8 day of
September A D 1866

Jno A Lott
Clerk Co Ct Smith Co Texas

Witnessed by
W H Parker

Subscribed to and sworn to before me this
the

Overton Cooper September 9th 1936

I hereby Certify that I am well
acquainted with the Howell Nathan Howell
Nathan Howell Joe Howell Finn Dannel
Jany Jackson Jane Talbert Gull
Hendrietta King and I know
their Father Father Nathan Howell
and I have always heard it
said that they all had Cherokee
Indian blood J. C. Sparks

Application No. 7211 Enrollment No. 7162
Mrs.

Overton Texas September 5th 1896

I herby Certify That I am well
acquainted with the Howell
mathew Howell Nathan Howell
Joe Howell, Ann ~~Howell~~ Daniel
Jany Jackson and Jane Talbert
and Henrietta Ling and I know
their & ~~Other~~ their Nathan Howell
and I ~~have always heard~~ ~~Know~~ that they have
Cherokee Indian blood

J E Lyons

APPLICATION FOR CITIZENSHIP.

TO the Honerable Henry L Dawes Chairman & Commissioners

The undesighned, your petitioner, this day makes this his application for citizenship in the Cherokee Nation Indian Teritory in accordance with the constitution and laws of said nation and respectfully submits and makes the following statement of the grounds of this Her application, to wit:

That ~~he~~ she is a ~~daughter~~ son of Nathan Howell who resided in ~~Sumpter~~ Chambers County Ala. and a grand ~~daughter~~ son of Matthem Howell who resided in ~~Sumpter~~ Chambers County Ala. and is a ~~sister~~ brother of Ike Howell, Matthew Howell Jr. Nathan Howell Jr. and James Howell and a sister to Ann Daunal and Zany Jackson that matthew Howell was a full blood Cherokee Indian That the und signned hereby presents the above facts as ~~her~~ his lawful grounds for this ~~her~~ application for citizenship by blood and respectfully waits the time when ~~her~~ his application shall be truly read and passed upon.

Respectfully submited

Age 52 Years P.O Kilgore Texas

No.	Name	Sex.	Relationship
1.	Alice Howell.	Female.	
2.	James Howell.	Male.	
3.	Henry Howell.	Male.	

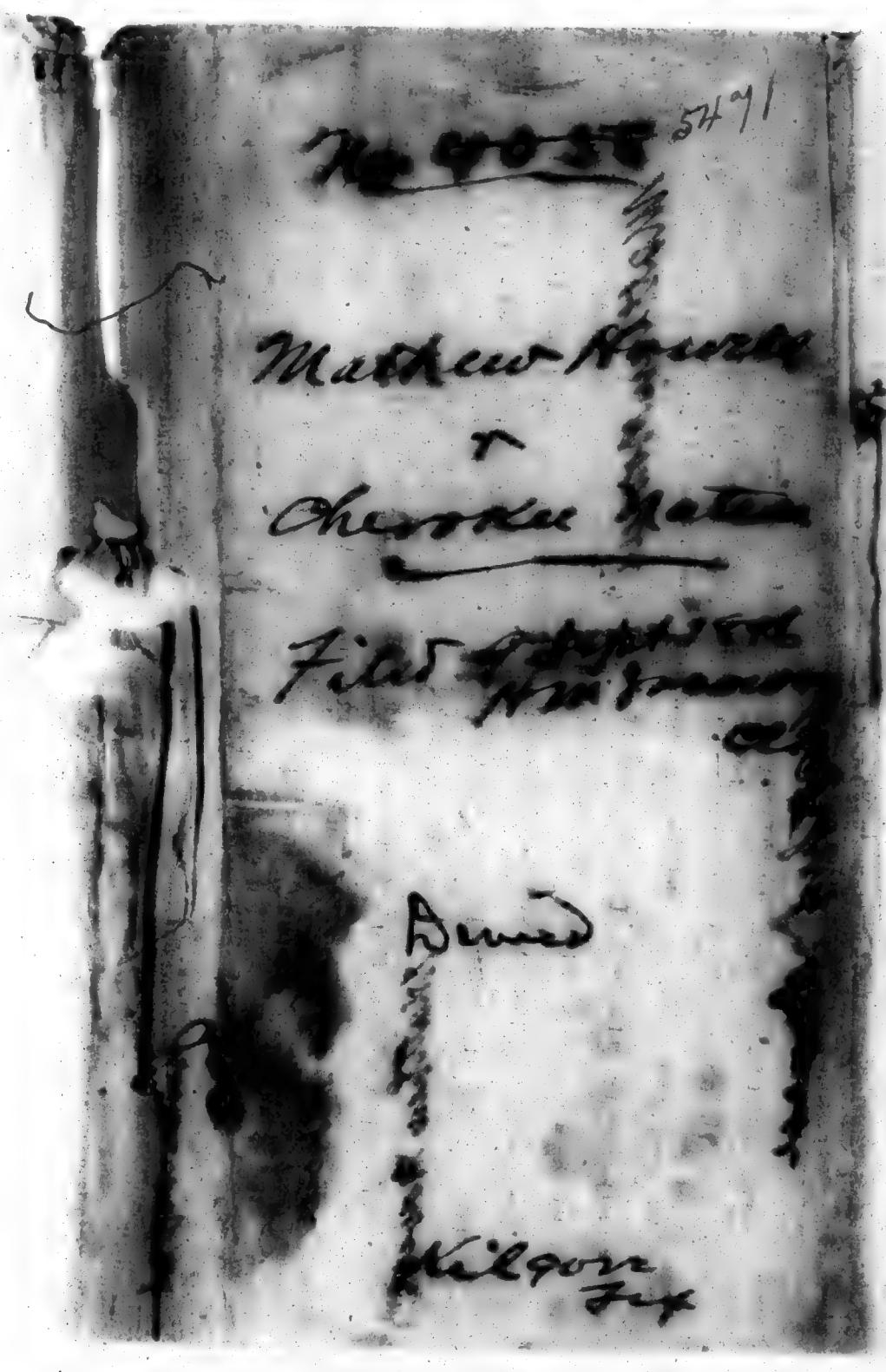
In witness of which Application, I hereto set my hand, on this the 5 day of September 1896.

his
Matthew x Howell
mark

Sworn and subscribed to before me this the 5th day of September A.D 1896

P. Coldsmith Notary Public
in and for Rusk County Texas

POOR ORIGINAL -
BEST AVAILABLE COPY


No 4038
5491
Mathew Norvell
v
Cherokee Nation
Filed
Denied
Kilgore

TESTIMONY OF WITNESS.

State of Texas.

County of Rusk ... and for the

Before me the undersigned authority a Notary Public ... and for the the county and state aforesaid, personally appeared James Alfred who after by me being duly sworn states thathe is 42 years of ageand is a citizen of rusk county and State of Texas and that he is personally acquainted with Matthew Howell Who is an applicant for citizenship in the Cherokee Nation Ind.Ter. and Affiant further states that the said Matthew Howell is the identical person that he represents himself to be in this his application for citizenship in the Cherokee Nation Ind.Ter. Affiant further states that he was well acquanted with the said Matthew Howell Sr. Father Nathan Howell, and his Grand father Matthew Howell. in Chambers County Alabamma. Affiant further states that this applicants Grand Father was known and recognised by all that knew him as a full blood Cherokee IndianAffiant says that he has known the said Matthew Howell for the past ... years and knows that he has been treated and recognised by his neighbors, acquantences and the public generally as a person having Cherokee Indian blood. and from the above factsand circumstances and from statements made to me by the said Matthew Howell and his father and grand father the said Matthew Howell is of Cherokee Indian blood Affiant further states that he has no interest whatever, in the prosecution of the claim of Matthew Howell to Citizenship in the Cherokee Nation Indian Territory..

James Alfred

Subscribed and sworn to this before me this the fifth day of Sep. A.D. 1906 and I furthermore certify that I am well acquanted with the said James Alfred and I know him to be a person of credibility and of truth and veracity

P. B. Jones

Notary Public

In and for Rusk County Texas

POOR ORIGINAL - BEST AVAILABLE COPY

5471 B476

Nation's No. 3089.

Commission's No. .....

In re Application of

Jane Talbert, et al.

Demurrer and Answer.

FILED SEPT. 28 1896.
W. S. McKENNON
Clerk

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Jane Talbert, et al. Nation's No. 3089.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mather Howell through whom the petitioner s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 25 day of Sept. 1896.

D. L. Ball

NOTARY PUBLIC.

B 426

5471

Nation's No. 3098.

Commission's No. .....

In re Application of

Zaney Jackson, et al.

Demurrer and Answer.

FILED SEPT. 28 1896.

A. S. McKENNON

Clerk

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Zaney Jackson, et al. Nation's No. 3098.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mattie Howell through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 25 day of Sept., 1896.

D. J. Ball

NOTARY PUBLIC.

B/426

5471

3088.

Nation's No.

Commission's No.....

In re Application of

Marthemy Howell, et al.

Demurrer and Answer.

FILED SEPT. 28 1896.

A. S McKENNON

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Marthery Howell, et al.

Nation's No. 3088.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mather Howell through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair.

Subscribed and sworn to before me this the 25 day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

End

5477

No 5432

Jefferson D Sexton
Etal

vs.

Cherokee Nation

Order of Office

b-426

288

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of .....

Jefferson D. Sexton et als ..... to be enrolled as citizens of the Cherokee ..... Nation.

TO THE Commission to the five civilized tribes .....

You are hereby notified that an appeal has been taken in the matter of the application of

Jefferson D. Sexton et als

to be enrolled as citizens of the Cherokee ..... Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23rd day of Jan. 1897. A D. 189...

J. M. Bruton Clerk.

No 5412

Milton L. Hood
Etal
vs.
Cherokee Nation

Order of Appeal

B. 426

B 426
547

286

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Milton L.Hood et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Milton L. Hood et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23rd day of Jan. 1897. A.D. 189...

J. A. Marston Clerk.

End

Ex. Appeals 54 [illegible]

vs

Choctaw Nation

Filed this 7th day
July A 1896
A.S. McKennon
Clerk

Reported

0

I.A.R.Breker ,do solemnly swear that on the 7th day of September ,1896 , I saw a package registered at the postoffice at Vinita I.T. addressed to-S.H.Mayes ,Chief of the Cherokee Nation ,Tahlequah , Ind.Terr., that registry receipt No. 298 hereto attached is a receipt for said package which contained true copies of the application of Catharine T. Stephens and the affidavits of . . . . . in support of the same.

A. R. Breker

Subscribed and sworn to before me this the 7th day of September ,1896.

Harvey E Dew Clerk,

Notary Public, My Commission Expires May 11th, 1900.

REGISTRY RECEIPT.

Post Office at VINITA. SEP 7 1896 Cherokee Nation, Ind. Ter. I.

Registered Letter / Parcel No. 298 Rec'd 189

of W. J. Stanfield

addressed to S. H. Mayes Tahlequah I.T.

A. A. Baquet L. P. M.

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Tahlequah, Indian Territory:

The undersigned Catharine L Stevens your petitioner, makes this her application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedants established and of record, and respectfully submits the following statement of facts for the grounds of Indian claim, to-wit:

That She is the daughter of Elizabeth Legg Tahcaunghi of one Ruthey Bowen and the late Ruthey Bowen (maiden name) of one and the of one who, your petitioner firmly believes, was a Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom She derived her Cherokee Indian blood, entitling her to citizenship in the Cherokee Nation, Indian Territory.

That the name and the name of said ancestor should be found to appear on the Census Rolls taken and made of Cherokees east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner respectfully awaits the time this her application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is 44 years; that her postoffice address is Green Forest Ark and that her family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks
1	Huldah Wiss	Female	27	daughter	
2	Micajah Stevens	Male	33	Son	

In Witness Whereof, I have hereunto set my hand at Green Forest this, the 15 day of Aug, A. D., 189 9

Catharine L Stevens her mark

Attest:

Belle Tabor

Mary M Pickens

Subscribed and sworn to before me at Green Forest, Arkansas this, the 15 day of Aug A. D., 189 9

W. G. Russell

Notary Public

[SEAL]

Nation's No 4392

Commission's No .....

In re Application of

Coleman D. Stephens
et al

Demurrer and Answer.

FILED OCT 21,
H. M. JACOWAY-
CT

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Caikonie L. Stevens et al
for citizenship in the Cherokee Nation.

Nation's No.....

Commission's No. .....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Lucinda Brown through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hutchings & Bradley Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct. 1896.

D. J. Bell
NOTARY PUBLIC.

End

Nation's No. 1238

Commission's No. .....

In re Application of

Maggie Hess, et al.

Demurrer and Answer.

FILED SEPT 25 1906

A. S. McGINNIS

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Maggie Hess, et al. Nation's No.
Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John. Morgan through whom the petitioner s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES. Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 12th day of Sept. 1896.

D. J. Ball
NOTARY PUBLIC.

Hardman Sec
Hoskinson Asst } Orion N.J.,
I W J Hoss do
solemnly swear that I presented
Copies of the application and
affidavits in case of Thomas
Jones - Wpaggin Hoss and
Richard Dobson - To Christian
Hahn for Telegraphy -
That I presented above
papers to the P.M. at Orion N.J.
to W. Phillips
W. S. Moss.
Subscribed and sworn to before
me this the 4 day Sept 1896
J. B. Lucas

Vinita I. T. Sept 4 1896

Received of W. T. Moore copies of the Application of Maggie Hicks and affidavits of Caleb Hinson, Hal Hinson and Thos. Hinson in case of Maggie Hicks vs. Cherokee Nation and sheet of registered court papers to the Com. Chief of the Cherokee Nation

C. H. Phillips
Atty.

No. 775 5474.

Application of

Maggie Hess

vs

Cherokee Nation

For Enrollment as a Cherokee Citizen.

To the Honorable Dawes Commission.

Filed by:

LUCAS & LONDON
Attorneys at Law,
VIAN, IND. TER.

Filed Sept 5-1894
A.S. McKennon
Clerk

Original

Denied -

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of ..... and ..... children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which ..... claim is based are as follows, to-wit: That she is the daughter of Maranda and Thomas Reeves, said Maranda Reeves the daughter of Allen and Pallis Bryan, said Pallis Bryan the daughter of John Morgan a full blood Cherokee Indian, a citizen and resident of the Cherokee Nation - and enjoyed all rights and privileges of other Native born citizens of said Nation - Claimant states that she is the eighth Cherokee Indian blood being the daughter of Maranda Reeves grand daughter of Pallis Bryan and great grand daughter of John Morgan a full blood Cherokee Indian. Also pleads that she has never received any compensation for any commutation or compensation for any the United States government as such Cherokee Indian. That by marriage claimant became a Cherokee and enjoyed all rights and privileges of a Native born Cherokee Citizen. I am 29 years of age

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely: Caleb Johnson Hatt Johnson [illegible] and Thos Johnson

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

Maggie Reeves
Applicant.

NAMES.	AGES.	RELATIONSHIP.
James Bryan		
~~Sol Raley~~		
Liggie May	7 years	Daughter
George	4 "	Son
Lustie	6 mos	Daughter

Indian Territory.
Northern District.

Personally appeared before me, the undersigned, a Notary Public within and for the Northern District, Indian Territory, and aforesaid Maggie Reeves who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

Maggie Reeves

James Bryan
Sol Raley

Subscribed and sworn to before me this the 31 day of Aug 1896

[illegible]
Notary Public.

My commission expires on the 21 day of [illegible] 1899

POOR ORIGINAL -
BEST AVAILABLE COPY

Maggie Hess

vs.

Theodore Hahn

Original

Affidavit of
Chas Hunter

Chas Hunter being duly sworn says that he is a
resident of Lincoln Township Logan
County Illinois and is over the age of
twenty one years and is not interested
in the result of this suit. That he
was present at the trial of this cause
in the Circuit Court of Logan County
at the May Term A.D. 1896 and
heard the testimony of the witnesses
and the arguments of counsel and
that the bill of exceptions contains
all the evidence given on the trial
of said cause.

Chas Hunter

Subscribed and sworn to before me
this 27th day of July A.D. 1896.

Geo. Pulley
Notary Public

Int. Ter.
Northern Dist } Issued
I. Thos. Hudson do
solemnly swear that I am a
recorded citizen of Kan Cherokee
Nation I.T. and enjoy all
rights and privileges of such
citizen - I knew John Morgan
an old full blood cherokee Indi-
an who lived in Flint Dist.
in this Nation and died here.
He was a recognized citizen of
the Cherokee Indians. I
knew his daughter Pollie Morgan
I have heard John Morgan
speak of her as his daughter
and of her marriage to Allen
Bryant at Tamales Landing
I.T. and that Bryant was not
Willing to come and live with the
Indians at the time they came. About
10 years ago. Pollie Bryant as
aforesaid came to this country
and I know her to be the daughter
of John Morgan and an In-
dian by blood. I also knew
her daughter Manida Bryant
who married Reuben Wood
acquainted with her personally

and known her to be the daughter of
Callie Bryant and an Indian by
blood. I also know Maggie Hess
the daughter of Marinda Reese
and have known her for years
She is an Eastern Cherokee Indian
blood. Maggie Hess aforesaid
married J. M. Hess. and lives
at Train in this County
more than 3 miles from
my home.

his
Thos X Hess
mark

Subscribed and sworn to before
this 19th day Aug 1896.

Atlest
C. H.
Henderson

Clerk
By Deputy
my com ex 9th 1899

Maggie Hess
vs.
Cherokee Nation

Original

Affidavit
Chas. Shirden

Maggie Hess.
vs.
Cherokee Nation

Original

Affidavit of
Caleb Thompson

Caleb Thompson
Sworn to and subscribed before me this 11th day of July 1896
Wm. Thos. Hughes
Notary Public
My Com. Exp. 9-21-99

I am acquainted with the above named Caleb Thompson and his wife Maggie Hess and have been for a number of years. I am not related to either of them and have no interest in the matter.

Caleb Thompson
witness

Indian Territory
Northern District } ss.

I, Caleb Hanson, do solemnly swear that I am a recognized Cherokee Indian by blood, and enjoy all rights and privileges of such Indian citizen - I am acquainted with John Morgan an old full blood Cherokee who lived in this Nation for years and died here - he was recognized as an Indian here, by his tribe. I have seen him many times and have heard my father William Hanson speak of him quite often as an Indian. I knew his daughter Polly Morgan also: I have heard her father John Morgan speak of her many times and about her marriage to Allen Bryant at Tenton Landing Texas. Polly Bryant or Polly Morgan did not come to this country until about 12 or 15 years ago, Bryant would not come and she never came until after his death. I know Polly Bryant was a Cherokee Indian by blood. I also know Manuda Bryant and know her to be the daughter of Polly Bryant aforesaid. She married

Reno I have been acquainted with her for 10 years or longer, and

Knows her to be the daughter of
Patsy Bryant Allen Bryant
~~[illegible]~~ and ~~[illegible]~~
aforesaid and knows her to be an
Indian by blood & knows Maggie
Reves the daughter of Reves and
Marinda Reves aforesaid. And
knows her to be an Indian by
blood being one eighth cherokee
Indian - & have known her ever
since she was a sure girl.
She married and is still living
with a man by name of
M. Hess not more than a half
mile from my home.

Caleb Alberson
mark

Test
M D Pender

Subscribed and sworn to before
me this 11th day of July 1896

J S Lucas
Notary Public
My Com Ex 9 21 99

Maggie Hess.
vs.
Cherokee Nation

Original

Affidavit of
Caleb Alberson

Maggie Rines daughter of Marinda Rines married a man by the name of J. M. Keys and lives at Vian in this Nation. Not more than two miles from my home.

Stephen Thom

Subscribed and sworn to before me this 22 day of July 1896

J. S. Lucas
Notary Public
My Com. Ex. 9-21-99

Maggie Keys
vs.
Cherokee Nation

Affidavit of
Stephen Thomson

Indian Territory
Northern District } ss Union, I.T.

I, Wat Hanson, do solemnly swear that I am a Cherokee Indian by blood and so recognized by the Indians, and enjoy all rights and privileges of such citizen. I am acquainted with John Morgan an old full blood Indian who lived in this country for years and died in Flint District in this Nation. He was a recognized citizen of the Cherokee tribe of Indians. I have often seen him as he and my father Bill Hanson were good friends. I knew his daughter Polly Morgan. I have heard John Morgan speak of her as his daughter, a various times and places. She married Allen Bryant at Gunters Landing Tenn. so her father said and Bryant was not willing to commune with the Indians at the time they came. So about 10 years ago Polly Bryant or Morgan, came to this country. I know her to be the daughter of John Morgan and an Indian by blood. I also know ~~Mary~~ Miranda Bryant her daughter who married

Rines. I was acquainted with her personally and know her to be the daughter of Polly Bryant and an Indian by blood. I also know Maggie Rines the daughter of Marinda Bryant (or Rines) and have known her for 10 years and know her to be a Cherokee Indian by blood. She ~~is~~ was eight Cherokee Indian. Maggie Rines daughter of Marinda Rines married a man by the name of J. M. Rines and lives at Kansas in this Nation. Not more than two miles from my home. Hitchen Starr

Subscribed and sworn to before me this 22 day of July 1896

J. S. Lucas
Notary Public
My Com. Ex. 9-25-99

Maggie Rines
vs.
Cherokee Nation

Affidavit of Witness

End

Nation's No. 2395-

Commission's No .....

In re Application of

E. B Hood

Demurrer and Answer.

FILED SEPT. 28 1896
A. S. McKEN
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of E B Hood et al

Nation's No. 2395-

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Young through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

See case Milton L. Hood
National No 110,

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Harlin & Bondurant Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the 22 day of Sept. 1896.

D. F. Ball
NOTARY PUBLIC.

POOR ORIGINAL -
BEST AVAILABLE COPY

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

I, A. R. Breker .. do solemnly swear that on the 5th
day of September ... ,1896 I saw a package registered by..
W. J. Mansfield .. at the Post office at Vinita, addressed to S. H. Mayes
Chief of the Cherokee Nation, Talequah Ind. Ter., that registry receipt,
No,. 268 .....hereto attached, is a receipt for said package, which
contained true copies of the application of Elizabeth Stood ..
and of the affidavits of Elizabeth Stood, John Gallahare
Milton Stood .....
.....
in support of the same.

A. R. Breker

Subscribed and sworn to before me, on this 5th DAY OF Sept.
1896

Harvey E. Dow-Carlos,
1900.

REGISTRY RECEIPT.

Post Office at .....

Registered Letter / Parcel } No. 268. Rec'd 9/5, 1896

of W. J. Stanfield

addressed to S H Mayes Chief
Talequah I T

D M Bruner P. M.

A P P L I C A T I O N F O R E N R O L L M E N T.

To The Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4th, 1896 to hear and determine Claims af for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Elizabeth Hood, for and on behalf of herself Manadana Esther Hood, Webb,

Mary Susan Welch,
Thomas Jefferson Hood,
Joseph Franklin Hood,
Frank Webb,
Marion Webb,
Lovey Webb,
Clauda Webb,
Berty Hood,
Vessa Hood,
Johnie Baldwin, and
William Richard Hood,
James David Hood,
Leonard Levi Hood,
Etta Webb,
Loron Webb,
Allen Webb,
John Elzy Welch,
Jesse Hood,
Willie Hood,
Georgia Hood,

and heirs this day make this their application to you for the purpose of being placed on the revised rolls of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in the Cherokee Nation by virtur of their Cherokee blood and ancestery and herewith submit the evidence annexed hereto, to-wit:-

Affidavits marked Exhibits, "A" "B" "C", being the affidavits of Elizabeth Hood, "A", John Gallaher, "B", M. L. Hood, "C", and _____

and make reference to and part hereof the different rolls of Cherokee Indian Citizens which your applicant believes will show the names of John Young and Doctor John Young, Ancestors of this Applicant and of those for whom this application is made, in support of this application.

The names, ages and relationship of those interested with petitioner in this application are as follows:-

Names,	Ages,	Relationship to petitioner
Elisabeth Hood,	(69)	Petitioner,
Mandana Esther Webb,	(41)	Daughter,
Mary Susan Welch,	(38)	Daughter,
William Richard Hood,	(36)	Son,
Thomas Jefferson Hood,	(33)	Son,
James David Hood,	(31)	Son,
Joseph Franklin Hood,	(27)	Son,
Leonard Levi Hood,	(22)	Son,
Frank Webb,	(22)	Grand son,
Etta Webb,	(20)	Grand daughter,
Marion Webb,	(18)	Grand son,
Loron Webb,	(17)	Grand son,
Lovey Webb,	(15)	Grand son,
Allen Webb,	(5)	Grand Son,
Clauda Webb,	(3)	Grand son,
John Elzy Welch,	(5)	Grand son,
Berty Hood,	(11)	Grand son,
Jesse Hood,	(6)	Grand son,
Vessa Hood,	(2)	Grand son,
Willie Hood,	(8)	Grand son,
Johnie Baldwin,	(16)	Grand son,
Georgia Hood,	(4)	Grand daughter,

all of which is respectfully submitted. her
Elizabeth + Hood
mark

Subscribed and sworn to before me this the 24th day of Aug. A. D. 1896

Witness Mark
A R Briker
Mary S Welch

Harry E Dan-Caulk
Notary Public, My Commission Expires May 11th, 1900.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY) ss
NORTHERN DISTRICT.)

Exhibit "A"

I, Elizabeth Hood being first duly sworn on oath depose and say that my name is Elizabeth Hood, that I am a Cherokee Indian by blood, and I am the wife of D. M. Hood and reside with my husband and family in the Cherokee Nation, Fairland, I. T. being my post office. I am nearly 69 years of age, and I am a daughter of John and Sussanna Young. My father was a quarter blood Cherokee Indian and was the son of Doctor John Young a well known and recognized and I understand enrolled Half Blood Cherokee Indian. That I understand my grand father and my father were born and raised on the Hiawassie purchase in the old Cherokee Nation east of the Mississippi river and that my grand father died there. I am the same person referred to and mentioned in the affidavit of John Gallaher and in the other affidavits herewith attached

I was married in 1848 to D. M. Hood and the said D. M. Hood and I have had born to us the children whose names, ages and addresses are as follows, to-wit:-

Mandana Esther Hood, now Webb aged 41 years, address Roff, I.T.
Mary Susan Hood, now Welch, aged 38 years years, Mount Vernon, Missouri.
William Richard Hood, .. 36 .. , Fairland, I. T.
Thomas Jefferson Hood, .. 33 .. , Miller, Missouri.
James David Hood, .. 31 .. , Fairland, I. T.
Joseph Franklin Hood, .. 27 .. , ...
Leonard Levi Hood, .. 22 .. , Miller, Missouri.

Martha Jane Baldwin nee Hood born 1852 now deceased.

George Hood was born in 1857 now deceased.

That on or about the year 1872 my daughter Mandana Esther Hood was married to a man by the name of James Webb and that my said daugh-

ter Mandana Esther Webb and her husband James Webb have had born to them and are now living with them the children whose names and ages are as follows, to-wit:-

Frank Webb,	a boy,	born about 1874.
Etta Webb,	a girl,	born about 1876.
Marion Webb,	a boy,	born about 1878,
Loron Webb,	a boy,	born about 1879,
Lovey Webb,	a boy,	born about 1881,
Allen Webb,	a boy,	born about 1891,
Clauda Webb,	a boy,	born about 1893.

That the post office address of all of said Webb Children is Roff Chickasaw Nation, Indian Territory.

That on or about the year 1890 my said daughter Mary Susan Hood was married to a man by the name of Fred Welch and that my said daughter Mary Susan Welch and her husband Fred Welch have had born to them and are now living, one child, to wit:-

John Elzy Welch,	a boy,	born about 1891.

That on or about the year 1883 my said son William Richard Hood was married to a woman by the name of Sally Ward and that my said son William R. Hood, and his wife Sally Hood had born to them and now living one son, to-wit:-

Berty Hood,	a boy,	born about 1885.

That afterwards to-wit:- that on or about the year 1888 my said son William Richard Hood was married to a woman by the name of Ella Fisher, and that my said son William Richard Hood and his wife Ella Hood have had born to them and now living, the children whose names and ages are as follows: to-wit:-

Jesse Hood,	a boy,	born about 1890
Vessa Hood,	a boy,	born about 1894,

That on or about the year 1885 my said son James David Hood was married to a woman by the name of Martha Gertrude Nord, and my said son James David Hood and his wife Martha Gertrude Hood have had born to them and are now living, one child, to-wit

Willie Hood, a boy, born about 1890.

That on or about the year 1873 my said daughter Martha Jane Hood was married to a man by the name of Phillip Baldwin, and that my said daughter Martha Jane Baldwin and her husband Phillip Baldwin have had born to them and now living one child, to-wit:-

Johnie Baldwin, a boy, born about 1880.

That on or about the year 1882 my said daughter Martha Jane Baldwin died.

That on or about the year 1889 my said son George Hood was married to a woman by the name of Minnie Ramsey and that my said son George Hood and his wife Minnie Hood have had born to them and now living one child, to-wit:-

Gorgia Hood, a girl, born about 1892.

That on or about the year 1892 my said son George Hood, died.

That I have always understood from my parents and acquaintences of my youth that I was a Cherokee Indian by blood. That my home is now among the Cherokee people and I expect to continue my residence among them and that I have never claimed to b e a Citizen of any other State or Nation and that I have never been refused recognition or enrollment as a Cherokee Indian.

her
Elizabeth X Hood
mark

Witness J. Welch
Mary A. R. Bruner

Subscribed and sworn to before me this the 24th day of August, A. D. 1896.

Harry E. Dougherty,
Notary Public, My Commission Expires May 11th, 1900.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) ss Exhibit "B"
NORTHERN DISTRICT.)

I, John Gallaher, being first duly sworn on oath depose and say that my name is John Gallaher, that I am 73 years of age and a Citizen of the United States residing in the Northern District of the Indian Territory, and that my post office is Fairland,I. T., That I formerly resided in Monroe County Tennessee and that for a great many years I have been well acquainted with Elizabeth Hood whose application for Cherokee Citizenship is herewith attached. That said Elizabeth Hoods maiden name was Elizabeth Young and she is a daughter of one John Young a well known Cherokee Indian by blood and she the said Elizabeth Young was born in the old Cherokee reservation on the Hiawassie purchase. I was acquainted with the said Elizabeth Hood's father John Young who was also born on the Hiawassie purchase and also acquainted with her grand father Doctor John Young a half breed Cherokee Indian. I know the Doctor Young above mentioned lived in the old Cherokee reservation on said Hiawassie purchase and I understand was born and died there and that John Young and the said Doctor John Young were known to be father and son and was so recognized and treated by each other. That John Young married Sussanna Morrison and that said John Young and his wife Sussanna Morrison lived together as husband and wife and raised children and this applicant Elizabeth Hood is a child of said John Young and his wife and a grand daughter of said Doctor John Young and his wife .

I further state that said Doctor John Young's name is to be found upon the early rolls of Cherokee Citizens and I think the name of John Young also appears.

The said Elizabeth Hood now lives and has for a number of years past in the Cherokee Nation.

John Gallaher

Subscribed and sworn to before me this the 24th day of Aug. A. D. 1896.

Harry E. Dirr-Carter,
Notary Public, My Commission Expires May 11th, 1900.

Exhibit "C"

UNITED STATES OF AMERICA,)
INDIAN TERRITORY,) ss
NORTHERN DISTRICT.)

I, Milton L. Hood, being duly ~~sworn~~ affirmed on oath depose and say that my name is Milton Hood, that I am 76 years of age, I am a Cherokee Indian by blood and that I was born in Monroe County Tennessee, and that I now reside in the Cherokee Nation and that my post office is Hulbert Indian Territory.

That I am well acquainted with Elizabeth Hood whose maiden name was Elizabeth Young and that she is a Cherokee Indian by blood, that she was born in the old Cherokee Indian reservation in the Hiawassie purchase about the year 1828 and that she is a daughter of John Young a Cherokee Indian by blood who was also born and raised on the said Hiawassie purchase and the said John Young was a son of Doctor John Young a half breed Cherokee Indian. That said Doctor John Young lived in said Hiawassie purchase and died there. I was well acquainted with Doctor John Young, and knew him to be a half breed Cherokee Indian and a recognized and enrolled member of the Cherokee tribe of Indians. That Elizabeth Hood is the same Elizabeth Hood whose application for Cherokee Citizenship and enrollment is herewith attached.

I know that she resides in the present Cherokee Nation and know that she has resided here for a number of years.

Milton L Hood

Subscribed and ~~sworn~~ affirmed to before me this the 26th day of August, A. D. 1898.

T E Williams
Notary Public

My Commission Expires

End

No 5476

Mary Ann Crockett Etal

vs.

Cherokee Nation

Order of Appeal

6/627

NOTICE.

258

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Mary Ann Crockett et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of Mary Ann Crockett et al (your No.5476)

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of Jan, 1897. A.D. 189....

Jas Dennison Clerk.

End

5:77

P 427 5477

Nation's No. 1331

Commission's No. .....

In re Application of

L. E. Brown

Demurrer and Answer.

FILED SEPT 25 1906

J. S. McKENNON

CLERK

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of .....

.....A. G. [illegible]

.....

.....

Nation's No. .....

Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant [illegible] entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible]

.....through whom the petitioner.....claim to derive.....[illegible].....right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof,

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By [illegible] Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16th day of Feb, 1896.

[illegible]

NOTARY PUBLIC.

(2)

Page 1

To the Hon. National Council of the Cherokee Nation:

Your petitioner, Lillie Brown, nee Goff, represents that she is a Cherokee by blood deriving her Cherokee blood from George W. Goff, her father, andhe derived the same blood from his fathe who was a Cherokee.

Your petitioner further states that she now has six living children, viz: Asbery Aldriche(by her first husband) age 19; 2nd, Thomas J. Brown age 12; 3rd, Ruby Brown age 10; 4th, Doris Brown age 8; 5th, George W. Brown age 4; and 6th, Mary Brown age 8 months old respe tively.

Now your petitioner and her family be readmitted to all the rights of other Cherokees, in lands and monies in the Chero ee Nation, by virtue of her Cherokee blood in accordance with Article I, Section 2 of the Cherokee [redacted] Constitution , and herewith presents affidavits of identification as to her ancestry and Cherokee blood.

Lillie Brown.

THE STATE OF TEXAS)
LAMAR COUNTY.) SS.

Before me, the undersigned authority, on this day persona ly appeared Lillie Brown who upon her oath says that the facts set forth in the above petition are true to the best of her knowledge and belief.

Given under my hand and seal of office this the 21st day of September 1893.

(L. S.)

T. S. Hill,
Notary Public of Lamar Co. ,
Texas

THE STATE OF TEXAS,)
COUNTY OF LAMAR.)

Page 2

Before me, T. S. Hill, a Notary Public of Lamar County Texas, on this day came and personally appeared Mrs. Nancy Goff nee Nancy Perry, who upon oath says that she lives in Paris, Lamar county Texas, and is the mother of Mrs Lillie Brown, nee Goff. My husband and her father's name was George W. Goff. The said George W. Goff was a Cherokee by blood (Indian) and therefore the said Lillie Brown and her six children are part Cherokee Indian. I knew the said George W. Goff to be a man of veracity--and knew that he would not misrepresent his blood. And during his life-time have oftentimes heard him say that he had Cherokee Indian blood in him, and father John Goff was a Cherokee.

Affiant further says that she knows from general reputation that the said George W. Goff had uncles and counins who were Cherokee Indians. Affiant further says that she was intimately acquainted withv John Goff during his life time; that he was the father of George W. Goff, and she knew the said George W. Goff to be a man of veracity, and that he would not misrepresent his blood, and has oftentimes haard him say that his mother was a half-breed Cherokee Indian woman, and that he had Cherokee Indian blood in him, that came through his mother who was a Tittle.

Nancy Goff.

Nancy Goff upon oath says that Annie F. Goff and John A. Goff who join in her petition, for readmittance to the rights of Cherokees, are the lawful children of herself and George W. Goff, deceased, her husband.

Nancy Goff.

Sworn to and subscribed before me this the 21st day of September, 1893.

(L. S.)

T. S. Hill
Notary Public of Lamar Co., Texas.

To the Hon. National Council of the Cherokee Nation:

Your petitioner, Nancy Goff, nee Perry, represents that she is the wife of George W. Goff, deceased, who was a Cherokee Indian by blood, deriving the same from his father, John Goff, who was a Cherokee. She therefore asks that she be readmitted to all the rights of other Cherokees in lands and monies in the Cherokee Nation by virtue of her marriage with a Cherokee, in accordance with Article I, Section 2 of the Cherokee Constitution, and herewith presents affidavits of identification as to her said marriage and the Cherokee blood of her said husband.

Nancy Goff.

Annie T. Goff, John A. Goff, who reside in Paris, Texas, represent that they are the children of the above petitioner, Nancy Goff and George W. Goff, deceased, above referred to. That as such children, they have Cherokee Indian blood in them, and come and adopt the above petition and ask for the same rights therein sought by virtue of their Cherokee blood, under said Constitution. John A. Goff is thirty years old, and Annie F. Goff is thirty three years old.

Annie F. Goff.
John A. Goff.

STATE OF TEXAS,)
) SS.
LAMAR COUNTY.)

Before me, the undersigned authority, this day personally appeared Nancy Goff, Annie F. Goff and John A. Goff, who upon oath say that the facts set forth in the above and foregoing petition are true to the best of their knowledge and belief.

Given under my hand and seal of office this the

2 21st day of September, 1893.

T. S. Hill,
Notary Public of Lamar Co. Texas

STATE OF TENNESSEE, }
COUNTY OF MADISON. } SS. Page 4

Before me, the undersigned authority, on this day comes and personally appeared Maggie Krup, who upon oath says that she is the daughter of M.B. Wood his mother was Nancy Goff, a sister of uncle John and Tommy Goff, and that she married Ella Krup; that her grand mother, Nancy Wood, nee Nancy Goff was the sister of John and Tommy Goff, and Mary Little was their mother.

Affiant further says she has heard her parents claim that they had Cherokee Indian blood in their family, also heard her uncle Tom Goff was married in Indian costume with hunting-shirt and beaded moccasins.

Signed Maggie Krup.

Sworn to and subscribed before me this 12th day of October 1893.

John Magemy,
Deputy County Court Clerk.

Page 2

STATE OF TENNESSEE, }
} SS.
COUNTY OF MADISON. }

Before me, the undersigned authority, this day came and personally appeared F. E. Wilson, who upon oath says that she is the daughter of Polly Goff who married J. W. Taikington, and that she married M. V. Wilson, and that her mother Polly Taikington, nee Goff, was the daughter of Thomas Goff who was the brother of John Goff. That the mother of John Goff and her said ~~father~~ xxxxx mother's father was Maty Tittle.

Affiant further says that she has often heard her mother say that her parents claim that they had Cherokee Indian blood in their family and that they were married in Indian costumes with hunting-shirt and beaded moccasins.

Signed A. F. E. Wil son.

Sworn to and subscribed before me this the 12th day of October 1893.

John Magenney,
Deputy County Court Clerk.

THE STATE OF TEXAS,)
)
LAMAR COUNTY.)

This day came and personally appeared before me, the undersigned authority, B. M. Patterson who upon oath says that he is 73 years old and a resident citizen of Lamar County Texas. That from the time he was five years of age up their death, he knew and was intimately acquainted with George W. Goff and his father John Goff who are both dead. George W. Goff married Miss Nancy Perry who as his widow n now resides in Paris Texas, and whose reputation for truth and veracity is good. It is the general belief and has always been understood that the said John and George W. Goff that they had Indian blood in them. The children of John Goff inclufing George W. Goff, all showed that they had Indian blood in them from their dark complections, straight forms, erect walks, and high cheek bones. People living near them always sope of them as part Indians.

B. M. Patterson.

Sworn to and subscribed before me this the 21st day of September, 1893, by B. M. Patterson, and I further certify that B. M. Patterson is man of high standing and his reputation for truth and veracity is good. Witness mt hand and seal this thax September 21st, 1893.

T. S. Hill,
Notary Public of Lamar Co. Texax

THE STATE OF TEXAS)
)
LAMAR COUNTY.)

Page 1

Before the u dersigned authority on this day pers-nally appeared Emma E. Lane, who upon her oath says that she is the daughter of Mary Lane nee Goff, now dead. That her said mother was the daughter of George W. Geff and a grand-daughter of John Goff.

Af iant further says, that the said mother during her life time always claimed to have Cherokee Indian blood in her, as she derived the same through her father and her grand-father. That during the life time of her mother she has often heard her say that her grand-father was a quarroon and his mother was a half breed Cherokee Indian woman who was a Tittle. That she had visited the Tittles as relations and they showed the Indian blood in them.

Emma E. Lane.

Sworn to and subscribed before me this the 21st day of September, 1893.

T. S. Hill,
Notary Public Lamar Co. Texas.

STATE OF TENNESSEE,)
)SS. Page 6
COUNTY OF GILES.)

Personally appeared before me, Will S. Ezell, Notary Public in and for said county and state, Orlean Balentine, with whom I am personally acquainted, and who being first dult sworn, deposes and says, that she is the grandpdaughter of Mary T. Balentine, deceased;

That she spent much time in the home of the said Mary T. Balentine during her life time, and that she has often heard her speak of her Indian blood through her father (affiant's great-grand father) whose name was John Goff, and whose mother's name was (that is affiants great-grand-mother) name was said to be Tittle.

Affiant also states that her grand-mother Balantine's name was Mary Tittle Balantine.

Orlean Balantine.

Sworn to before me this October 16th, 1893.
(L. S.)
Will S. Ezell,
Notary Public.

Reg - 9

To the Hon. National Council of the Cherokee Nation:

Your petitioner, Emma E. Lane, representsnthat she is the grand daughter of Geo. W. Goff, dec'd, , and the daughter of Mary Lane, nee Goff, deceased, who was the daughter of Geo. W. Goff who was a Cherokee Indian by blood, and who derived the same from his father, John Goff, a Cherokee, who derived his blood his mother, a Miss Tittle a half-breed Cherokee Indian woman.

She therefore asks that she be re-admitted to all the rights of other Cherokees in lands and monies in the Cherokee Nation by virtue of her blood as a Cherokee, in accordance with Article I, Section 2 of the Cherokee Constitution, and herewith presents affidavits as to her Cherokee blood--and relationship.

Emma E. Lane.

THE STATE OF TEXAS,)
)
LAMAR COUNTY.)

This day came and personally appeared before me, the undersigned authority, Emma E. Lane, who upon oath says that the facts stated in the above petition are true and correct to the best of her knowledge and belief, and were sworn to and subscribed before me this the 21st day of September, 1893.

(L.S.)

T. S. Hill,
Notary Public of Lamar Co.,
Texas

THE STATE OF TEXAS,)
)
LAMAR COUNTY.)

Before me, the undersigned authority, on this day personally appeared Jos. T. Brown and J. N. Blake, who upon oath says, that they are intimately acquainted with Emma E. Lane, and have known her for a number of years. That she is the daughter of Mrs. Mary Lane, deceased, and the said Mary Lane was the daughter of George W. Goff, deceased, and Mrs Nancy Goff, now living.

Jos. T. Brown.

J. N. Blake.

Sworn to and subscribed before me this 21st day of Sept., 1893.

T. S. Hill
Notary Public of Lamar
County Texas.

THE STATE OF TENNESSEE,)
)
COUNTY OF MADISON.)

Before me, the undersigned authority, on this day came and personally appeared M. E. Laranoe who upon oath sayd that she is the daughter of Polly Goff who married J. W. Tarkington, and that she married J. N. Loranoe.

That her mother Polly Tarkington, nee Goff, was the daughter of Thomas Goff, who was the brother of John Goff. That the mother of John Goff and her said mother's father was Mary Tittle.

Affiant further says that she has often heard her mother say that her claimed that they had Indian blood in their family--and that they were married in Indian costume, with hunting-shirt, beaded moccasins &c.

Signed M. E. Loranoe.

Sworn to and subscribed before me this 12 day of Oct 1893.

(L. S.) John Magenny, Dept
County Court Clk.

THE STATE OF TEXAS,)
)
COUNTY OE GRAYSON.)

Before me, the undersigned authority, on this day personally appeared J. O. Tarkington, who, upon oath says, that he is near 90 years old, and resides in Grayson County, state of Texas.

That he knew the Goff and Tittle families in his early says. That Mary Tittle married John Goff. That John Goff and Thomas Goff were their sons. That Polly Goff, afterwards Tarkington, was the daughs of Thomas Goff, the brother of John Goff, Jr., and that M. E. Lorance is the daughter of the said Polly.

That George W. Goff was the son of John Goff, and he married Nancy Perry. The Goffs were from Mookimon Gap, Lee County, West Virginia. That the Tittle family were part Cherokee Indians, and the said Mary Tittle, afterwards Goff, was a part breed Cherokee Indian woman.

J. O. Tarkington.

Sworn to and subscribed before me this October 9th, 1893.

(L. S.) C. H. Thomas, J. P. and Ex Officio Notary Public Grayson County , Texas.

THE STATE OF TEXAS,)
)
LAMAR COUNTY.)

Before me, T. S. Hill, a Notary PUblic of Lamar Co., Texas, on this day personally appeared Jos. T. Brown who upon oath ~~says~~, that he was well acquainted with Mrs. Mary Lane now dead, and who was the daughter of Geo. W. Goff, and grand daughter of John Goff. That the said Mary Lane lived and made her home with John Goff, and affiant has often heard the said Mary Lane in her life time say that her grand father John Goff was part Cherokee Indian, and that he derived ~~his~~ this blood from his mother who was a half breed Cherokee and a Miss Tittle, and the said Mary Lane claimed to have Indian blood in her & always seemed to boast of it.

Jos. T. Brown.

Sworn to and subscribed before me this the 21st day of Sept 1893.

(L. S.) T. S. Hill,

Notary Public of Lamar Co., Texas.

4010

5717

Lillie Brown nee
Goff et al
vs
Cherokee nation

COM'R
A. S. McKENNON
FILED SEPT. 9 1896

All the appli-
cants in the
above appli-
cation in this
case rejected

EXECUTIVE DEPARTMENT, CHEROKEE NATION,

Tahlequah, Ind. Terr'y,

September, 7 1896.

I, William, M. Belager, Assistant Executive Sec'y hereby certify that the within Application is a true and correct copy of the original now on file in this Department.

William M Belager

End

5478

REGISTRY RECEIPT.

Post Office at VINITA, Cherokee Nation, Ind. Ter. SEP 9 1896

Registered Letter Parcel No. 676 Rec'd 189

of S. S. Adams

addressed to Hon S. H. Mayes
Tahlequah I. T.

P. M.

I L B Bell. do solemnly swear that on the 9th day of September 1896 I saw a package registered at the Postoffice at Vinita Indian Territory addressed to Hon L. H. Mayes Principal Chief of the Cherokee Nation at Tahlequah. And that registry receipt No 676 received from the Postmaster. Here to attached is a receipt for said package which contained copies of the application of Minnie Price for herself and her children George and Frank and Jennie and for her brother Jennie Sublett and asking also that certain papers affidavits &c in the possession of the Authorities of the Cherokee Nation be sent to the Commission to the Five Civilized Tribes at Vinita I T.

I B Bell

Subscribed and sworn to before me on this 9th day of September A.D. 1896.

W G Nelson
Clerk of Town of Downingville
Cherokee Nation I T

No ~~4333~~ 8478

Minnie Price

vs.

Cherokee Nation

FILED SEPT. 9 1896
A. S. McKENNON
COM'R

Denied

L. S. below
Vinita, I.T.

My Commission Expires Jan 7, 1897

Subscribed and sworn to before me this 7th day of September 1896

C. B. Rice
Notary Public

Before the Commission to the five civilized Tribes
Indian Territory.

Hon Henry L Dawes,
Chairman
Sir,

Your petitioner Minnie Price most respectfully presents this her petition for enrollment as a citizen of the Cherokee Nation under the act of Congress creating your Honorable Commission and for cause states

That her name is Minnie Price age 26 years and her age 26 years old and that she is the daughter of Jennie Lublett a Cherokee Indian by blood; who was the daughter of Jennie Grapes a Cherokee Indian by blood who died in the Cherokee Nation Indian Territory about forty years ago That her said mother Jennie Simpson now Jennie Lublett was born in the Cherokee Nation about 44 years ago and that she presented to Cherokee National Council her said petition and affidavits of Witnesses as to her right to be enrolled as a Cherokee Indian and that said National Council has failed to take action on the said petition of her mother Jennie Lublett That the said Minnie Price asks in behalf of herself and of her mother that the authorities of the Cherokee Nation be directed and ordered to file said petition and affidavits in support of the same with your Honorable Commission So that the said petitioner

and her mother can use the same in the
presentation of the said cause when she shall
The said Minnie Price petitioner is
married to James Price and that they have
the following named children to wit:
Hattye Price, aged 6 years, Maud Price
four years, Jennie Price one year

Minnie Price

Subscribed and sworn to before me this
9 day of Sept 1896

My Commission
Jan 7. 1897

L. B. Bell
Notary Public

No 4269 8478
Minnie Price
vs.
Charles Lahm

FILED SEPT. 9 1896
A. S. McKENNON
COM'R

Denied

L. S. Allen
Clerk. D.T

End

5471

FILED SEPT. 8. 1896
A. S. McKENNON
COM'R.

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee *Nation, Ind. Ter.:*

GENTLEMEN:—The undersigned, your petitioner, this day makes this his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this his Application, to wit:

That he is the Son of Daniel Helton and grand son of one Peter Helton who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 55 years; Postoffice Rockwood Tennessee

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship
1	James K. Helton	Male	55	Applicant
2	Mary Helton	Female	32	Wife of applicant
3	Susie Helton	Female	13	Daughter of applicant
4	David F. Helton	Male	8	Son of applicant
5	Maud E. Helton	Female	6	Daughter of applicant

In witness of which Application, I hereunto set my hand, on this the 28th day of August 1896.

his
James K. x Helton
mark

attest H. A. Peterman

Subscribed and sworn to before me this 28 day of August A. D., 1896.

My Commission Expires on the 12th day of January 1898

JOSEPH P. BYRNS, Attorney at Law.

D. T. Peterman
Notary Public

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Jason Shoat who, after being by me duly sworn, states that he is 71 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with James K Kelton who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents him self to be in his application for citizenship in said Nation, and that the said James K Kelton is the son of David Kelton and grandson of Peter Kelton and that he was well acquainted with them all, and he knew that they were all known, recognized and acknowledged to be Cherokee Indians by blood and descent, by all of their neighbors and acquaintances, and that the said above named Peter Kelton was known, recognized and acknowledged to be a Cherokee Indian of full blood by all of his neighbors and acquaintances, and he knows that he was a full blood Cherokee Indian

Affiant further states that he has known the said James K Kelton for the past 45 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said James K Kelton indicate that the said James K Kelton is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said James K Kelton affiant states he has every reason to believe, and does believe, that the said James K Kelton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James K Kelton to citizenship in the Cherokee Nation, I. T.

Jason his + mark Shoat

Subscribed and sworn to before me this 20th day of December A. D., 1894 and I further certify that I am well acquainted with the said Jason Shoat and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of Jan. 1895

JOSEPH P. BYERS, Attorney at Law.

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Benjamin Kirkland who after being by me ..... duly sworn, states that he is 63 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with James H. Helton who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his appliciaton for citizenship in said Nation, and that the said James H. Helton, is the son of Daniel Helton with whom he was well and intimately acquainted and knows that they were know, recognized and considered to be of Cherokee Indian blood and descent, by all of their friends, neighbors and acquaintance and the public generally. Affiant further says I knew Daniel Helton for not less than 35 years and I would say to judge him by his looks he was at least a half blood Cherokee Indian

Affiant further states that he has known the said James H. Helton for the past 35 years, and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said James H. Helton is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said James H. Helton affiant states he has every reason to believe, and does believe, that the said James H. Helton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James H. Helton to citizenship in the Cherokee Nation, I. T.

attest: W. T. Peterman

Benjamin his X Kirkland mark

Subscribed and sworn to before me this 28th day of August A. D., 1896, and I further certify that I am well acquainted with the said Benjamin Kirkland and know him to be a person of credibility and of truth and veracity.

D. T. Ritterman Notary Public.

My Commission expires on the 12th day of January 1898

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Coane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Solomon H. Helton who, after being by me duly sworn, states that he is 73 years of age, and is a citizen of Coane County and State of Tennessee and that he is personally acquainted with James H Helton who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said James H. Helton ~~Daniel Helton~~ is the son of Daniel Helton and grand son of Peter Helton and that he was and is well acquainted with them all and knows that they were ~~and he knows that they~~ all considered and acknowledged to be of Cherokee Indian blood and descent, by all of their neighbors and acquaintance and the said above named Peter Helton was known, recognized and acknowledged to be a Cherokee Indian by all of his neighbors and acquaintance and he remembers and knows that he was called a Cherokee Indian of full blood

Affiant further states that he has known the said James H Helton for the past 45 years and knows that he is and has been recognized and treated by his neighoors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said James H Helton indicate that the said James H Helton is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said James H Helton affiant states he has every reason to believe, and does believe, that the said James H Helton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James H Helton to citizenship in the Cherokee Nation, I. T.

Solomon H his + mark Helton

Subscribed and sworn to before me this 20th day of December A. D., 1894, and I further certify that I am well acquainted with the said Solomon H. Helton and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of Jan. 1896.

JOSEPH P. BYERS, Attorney at Law.

End

5480

REGISTRY RECEIPT.

Post Office at Cherokee Nation, Ind. Ter. SEP 7 1896

Registered Letter / Parcel No. 395 Rec'd ..... 189 ,

of J. M. Ledford

addressed to S. H. Mayes
Tahlequah I. T.
Via Fayetteville P. M.

.....

Received Ind. Ter. Sept 7" 96
of James B. Hampton a citizen, over the age
of 21 years, a package
containing the first sheet of initial
Address to S. H. Mayes Chief of the
Cherokee Nation Tahlequah Ind. Ter.
Sept 7" 96 - 4 sheets - 4 pages
numbered consecutively from 1 to 4 inclusive
& which contained true copies of
the application of James Hampton
and of the affidavits of John C. Brown
and Clarinda Adams in support of
the same

Subscribed and
sworn to before me
this 7" day of Sept. 1896.

Seal

Joseph C. T. Nelson
Notary Public
My Com. Ex. Jan. 31, 1899

Original affidavit
of
Clearance Adams
for
Hamptons

State of Georgia
Towns County

Personally appeared before me Clearanda Adams who on oath says that she is a resident of Towns County Georgia and that her age is 73 years and that she is personally well acquainted with Alexander Hampton, James Hampton, Charles Hampton, Melissa ~~Hampton~~ Matheson, and Caroline Moore and know that they are grant grand children of Annie Blythe and came down as descends to in the following manner, to wit; Annie Blythe was One half Cherokee Indian, I know this because I was personally well acquainted with Annie Blythe, and was grant grand mother of the applicants Hamtons and Melissa Matheson and Caroline Moore whom mentioned, Annie Blythe was wife of Jonathan Blythe. Maria Hampton is daughter of Annie Blythe, and is ¼ degree Cherokee Indian

[illegible] and is ½ degree Cherokee
Indian and is the father of
Alexander Hampton Barnes
[illegible] Charles Hampton
Malissa Matheson and
Leandus Moore, but Leandus
Moore is a daughter of
Martha Matheson and is
½ degree Indian.
Annie Blythe was a
Barnes in her maiden name.
I know all these facts
[illegible] and personal acquaintance with
all these parties mentioned.
Sworn to and subscribed
to before me this August
31st day 1896 & Caranda. Adkins

[illegible]

Clerk of the [illegible]
Court of Pawnee Co. Okl.
P. J. Kinney
Ordinary

Original

Affidavit of

John E Woone

for

Hampton

State of North Carolina
Clay County

John C Moore resident
at Hayesville County of Clay and
State aforesaid age 85 years personally
Come before me T W Hancock clerk
of the Superior Court in and for
the County aforesaid who after being
by me duly sworn as the law
directs deposes and says upon
his oath.

I That he now will be married
with Annie Blythe Know him in
macon County N. C. It was said that
she had Indian blood in her, and
she had every appearance of a person
who had Indian blood, my opinion is
that she was half Indian. It has been
my understanding that Miriam Hampton
was a daughter of Annie Blythe, and
that Jonathan Hampton was a son
of Marian Hampton. And Alexander Hampton James
Hampton Chas. Hampton Malisa Mathum
are the heirs of Jonathan Hampton
Deceased.

John C Moore

Subscribed And Sworn To before me
This 28th 1896
T W Hancock C.S.C.

~~No 1804~~ 5480

Original

of Claim of

Jane Hampton

vs

Cherokee Nation

Filed 9 Sept 7-1896

A.S. McKennon

Clerk

Rejected

To the Honorable The Dawes
Commission on Citizenships in
the Five Civilized Tribes in the
Indian Territory!

Your petitioner ~~Marian~~
Hampton, undersigned respectfully
states that she is a Cherokee Indian
by blood, and enrolled as such
by the Cherokee Nation
[illegible] Marian is a Bayne
blood Indian Annie Bayne wife
of Jonathan Bayne is Annie Blythe
[illegible] Blood
and is great Grand mother of
applicant Marian Hampton is
the daughter of Annie Blythe
and is 1/4 degree Cherokee Indian
and is the grand mother of
applicant, Jonatha Hampton
is son of Marian Hampton
is 1/8 degree Cherokee Indian
and is the father of Applicant,
Applicant ~~Jame~~ Hampton is
son of Jonatha Hampton & is
1/16 degree Cherokee Indian by
blood. Your petitioner states
the above facts as the lawful
grounds of his application

for citizenship in the Cherokee Nation and prays that his claim may be fully investigated by your Honorable commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians. His age is 37 years and that ~~he~~ his family consists of the following named persons: My wife and children as follows:

Rose Hampton age 4 years.
Hermine Hampton age 2 years
Witness my hand this August 31st 1896

James Hampton

State of ~~Oklahoma~~
Payne County

Personally appeared before me the undersigned authority James Hampton to me known to be the petitioner

in the above petition who being by me first duly sworn upon oath says that he is the petitioner in the above petition that he has read or heard read the said petition and that the facts therein are true as he believes.

James Houghton

Sworn to and
subscribed before
me at
Spartanburg South Carolina
This 21st day of April 1915

J. T. Ervin
Ordinary

End

5481

~~3423~~ 5481

Salomon H Hellon
vs
Otoe & Ponca Nation

1

Filed Sept. 8. 1896.
H. M. Jaconway
Clerk

Hearing Dec

FILED SEPT. 8. 1896 ☆
A. S. McKENNON
COM'R

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee *Nation, Ind. Ter.:*

GENTLEMEN:—The undersigned, your petitioner, this day makes this his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this his Application, to wit:

That he is the son of one grand son Peter Kelton who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 23 years; Postoffice Carrsman Tennessee

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship
	Solomon K. Kelton	Male	23	Applicant
	William K Kelton	Female	20	Wife of applicant

In witness of which Application, I hereunto set my hand, on this the 14 day of December 1894.

Solomon K Kelton

Subscribed and sworn to before me this 14th day of December A. D., 1894.

Isham Benefield
Notary Public

JOSEPH P. BYERS, Attorney at Law.

AFFIDAVIT OF WITNESS.

STATE OF Tennessee)
COUNTY OF Roane)

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared H. W. McKeehan who, after being by me duly sworn, states that he is 61 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Solomon E Colton who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Solomon E. Colton is the son of Daniel Colton and that he was well and intimately acquainted with them both and saw them and intimately acquainted with the said above named Daniel Colton, for about 20 years before his death, and he knows that the said above named Daniel Colton was known, recognized and acknowledged to be a Cherokee Indian blood and was so by all of his neighbors and acquaintances and that the said Daniel Colton was known and considered to be a Cherokee Indian of one half blood

Affiant further states that he has known the said Solomon E Colton for the past 26 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Solomon E. Colton ~~indicate that the said Solomon E. Colton~~ is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Solomon E. Colton affiant states he has every reason to believe, and does believe, that the said Solomon E. Colton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Solomon E Colton to citizenship in the Cherokee Nation, I. T.

his
Fullit P Patterson
mark

Subscribed and sworn to before me this 1st day of September A. D., 1896, and I further certify that I am well acquainted with the said affiant and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of January 1897.

~~JOSEPH P. BYERS, Attorney at Law.~~

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared J. H. Helton who after being by me duly sworn, states that he is 56 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Solomon H Helton

who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his appliciaton for citizenship in said Nation, and that the said Solomon H Helton son of Daniel Helton and son of Peter Helton and that he is and was well and intimately acquainted with all of the above named parties and know that they were known, recognized and acknowledged to be of Cherokee Indian blood and descent by all of their friends, neighbors and acquaintances and the above named Daniel Helton was a half blood Cherokee Indian and Peter Helton was known and acknowledge to be a full blood Cherokee Indian by all of his friend neighbors and acquaintenceand the public generally

Affiant further states that he has known the said Solomon H Helton for the past 50 years, and knows that he is and has beeen recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Solomon H Helton is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Solomon H Helton affiant states he has every reason to believe, and does believe, that the said Solomon H Helton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Solomon H Helton to citizenship in the Cherokee Nation, I. T.

his
J. H. Helton
mark

Subscribed and sworn to before me this 31st day of August A. D., 1896, and I further certify that I am well acquainted with the said J. H. Helton and know him to be a person of credibility and of truth and veracity.

L. T. Peterman Notary Public.

My Commission expires on the 13th day of January 1899

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Jason Shoat who, after being by me duly sworn, states that he is 93 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Solomon H. Helton, ~~son of Peter~~ who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents ~~him~~ self to be in his application for citizenship in said Nation, and that the said Solomon H. Helton ~~& Daniel Helton and Dyanna Bare~~ is the son of Peter Helton and that he was well and intimately acquainted with them both and well acquainted with Peter Helton for thirty years before his death and he knew that the above named Peter Helton was known, recognized and acknowledged to be a Cherokee Indian Blood and descent, by all of his neighbors and acquaintances and the said above named Peter Helton was known and considered to be a Cherokee Indian of full Cherokee Indian Blood

Affiant further states that he has known the said Solomon H. Helton for the past 70 years and knows that he is and has been recognized and treated by his neighoors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Solomon H. Helton ~~indicate that the said Solomon H. Helton~~ is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Solomon H. Helton affiant states he has every reason to believe, and does believe, that the said Solomon H. Helton is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Solomon H. Helton to citizenship in the Cherokee Nation, I. T.

his
Jason + Shoat
mark

Subscribed and sworn to before me this 14th day of December A. D., 1894. and I further certify that I am well acquainted with the said Jason Shoat and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of Jan. 1895.

JOSEPH P. BYERS, ~~Attorney at Law.~~

End

5482

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Baley P. Woodrum

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in Wilson County, State of Tennessee on 21st day of November 1846. My fathers name was Benjamin F. Woodrum M[illegible] was Mary Woodrum That I now reside in the town of Lewisville Denton County Texas and have resided there for Eighteen years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature Baley P. Woodrum

State of Texas
County of Dallas } SS

NOW on this 12th day of August 1896 personally appeared before me J. C. Patton a Notary Public for said county and state Baley P. Woodrum who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 12th day of August 1896.

J. C. Patton
Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

6

No.....

PETITION OF

.....

for and on behalf of

.....

and heirs

Hubbard, Garland
and Watts.

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Baley P. Woodrum for and on behalf of himself & Baley P. Woodrum and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the hereto attached proof, being a son of Benjamin F. Woodrum and of Nicky Woodrum Cherokee Indians —

in support of said claim, and respectfully await the time when his —application shall be heard and tried.

Respectfully Submitted,

Baley P Woodrum

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Jacob Woodrum	deceased	Grand father
Stephen Woodrum	"	Uncle
William Woodrum	"	Uncle
B. F. Woodrum	"	Father
Mary Woodrum	"	Mother
William J. Woodrum	44 yrs.	Brother
Thomas M. Woodrum	44 yrs.	Brother
Mrs Martha Williams	50 "	Sister
" R. J. Crane	46 "	Sister
" Bertie L. Robnett	30	Sister
" Sarah J. Woodrum	5 mo 1	
William J. Woodrum	2 6	Son
Josephine Clary	25	Daughter
Joseph B. Woodrum	21	Son

In witness of which I hereunto set my hand on this 12 day August 1896

Baley P. Woodrum

The State of Texas }
County of Dallas }

In the Case of Baley P. Woodrum and heirs Claimant of Citizenship in the Cherokee Nation as a Cherokee Indian by blood before the Honorable Dawes Commission, authorized under act of Congress of the United States. personally appeared this day before me J. C. Patton A notary Public, ~~A notary Public~~ within and for the County and State aforesaid duly authorized to administer oaths F. N. Oliver. to me personally well known to be reputable and entitles to credit and who being by me duly sworn according to law deposes and says my name is F. N. Oliver. My age is Forty Seven years. My post office is Oak Cliff. Dallas County. Texas. I am a farmer and real estate dealer by occupation. I am a citizen of Dallas County. State of Texas, and affiant declares in relation to the above named case, as follows, to wit: I Knew Benjamin F. Woodrum the father of Baley P. Woodrum. He lived in Denton County Texas. I Knew him for eighteen years. I have known Baley P. Woodrum for eighteen

years. He is the son of Benjamin F. Woodruff. The said Baley P. Woodruff now resides in Denton County, State of Texas.

F. J. Oliver

Sworn to and subscribed before me this the 12th day of August 1876

J. C. Patton
Notary Public
Dallas County
Texas

No 3417-

Petition of
Baley P. Woodrum
for and on behalf of
himself and heirs

Filed Sept. 8th 1896
W. D. McKeown
Clerk

Rejected

The State of Texas }
County of Dallas }

In the case Baley P. Woodrum and Rein Claimants of Citizenship in the Cherokee Nation as a Cherokee Indian by blood, before the Honorable Dawes Commission authorized under act of the Congress of the United States, personally appeared this day before me C. Patton, a Notary Public within and for the County and State aforesaid duly authorized to administer oaths J. J. Fowlkes to me personally well known to be reputable and entitled to credit, and who being by me duly sworn according to law deposes and says my name is J. J. Fowlkes; my age is seventy two years; my post office is Dallas, Dallas county Texas. Residence No 444 San Jacinto Street: I have been for forty years a former. I have no special occupation now. I am a citizen of Dallas County, State of Texas, and affiant declares in relation to the above named case as follows, to wit, I knew Jacob Woodrum, the grandfather

of Baley P. Woodrum. He lived in Wilson County Tennessee. He is now dead. I knew the father of Baley P. Woodrum. His name was Benjamin F. Woodrum. I knew him in Wilson County Tennessee. He is also dead. I have known Baley P. Woodrum the claimant herein since he was a boy. He is a direct descendant of Benjamin F. Woodrum and Mary Woodrum. The said Baley P. Woodrum now resides in Denton County State of Texas. The grandfather of Baley P. Woodrum the claimant herein, ~~who was Jacob Woodrum and was separated from~~ being a Cherokee Indian at his home in Wilson County State of Tennessee.

-J J Fowlkes

The foregoing affidavit was made by the said Public and before signing of affidavit.

H C Patton Notary Public

Sworn to and subscribed before me this the 12th day of August 1896.

H C Patton
Notary Public
Denton County
Texas.

3482 B428

Nation's No. 886.

Commission's No

In re Application of

Bailey P. Woodrum.

Demurrer and Answer.

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Bailey P. Woodrum.

Nation's No. 886.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Benjamin P. Woodrum.

through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 9th day of Sept. 1896.

D. L. Ball

NOTARY PUBLIC.

5482 B 428

Nation's No. 887.

Commission's No .....

In re Application of

Absalom H. Woodrum.

Demurrer and Answer.

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Absalom H. Woodrum.

Nation's No. 887.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Benjamin Woodrum, through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory. as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this, the 9th day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

Your petitioner Absolum H. Woodrum would state and show from the proof submitted to the Commission that he is a Cherokee by descent and by blood having been born in Johnson County State of Missouri on the 23rd day of July 1858. My father's name was Benjamin F. Woodrum. My mother's name was Mary Woodrum; that I now reside in Denton County State of Texas, near the town of Lewisville, and have resided there Eighteen years. And he avers that these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And ~~he further~~ avers that these facts being proved he is entitled to be adjudged under the laws of such nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a Citizen

of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the Consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such Citizenship, and his name be placed upon the proper roll as a Citizen of such Nation.

(Signature) Absolum H Woodrum

The State of Texas }
County of Dallas }

Now on the 12th day of August 1896 personally appeared before me J. C. Patton a Notary Public for said County and State, Absolum H. Woodrum, who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this the 12" day of August 1896.

J. C. Patton,
Notary Public,

No _____

PETITION OF

_____

for and on behalf of

_____

and heirs

Hubbard, Gaulafent
and Oratte

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALDXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Absalom H. Woodrum for and on behalf of himself & Absalom H. Woodrum and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotment of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the hereto attached proof and bring a son of Benjamin F. Woodrum and Mary Woodrum, Cherokee Indians.

in support of said claim, and respectfully await the time when his application shall be heard and tried.

Respectfully Submitted.

A Absalom H Woodrum

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Jacob Woodrum	deceased	Grand-father
Stephen Woodrum	"	Uncle
William Woodrum	"	Uncle
B. F. Woodrum	"	Father
Mary Woodrum	"	Mother
William J. Woodrum	44 yrs	Brother
Thomas M. Woodrum	44 "	Brother
Mrs Martha William	50 "	Sister
Mrs L. J. Crane	46 "	Sister
Mrs Bettie L. Robnett	30 "	Sister
Mrs Mattie Woodrum	28 "	Wife
L. L. Woodrum	16 "	Son
A. F. Woodrum	3 "	Son
C. A. Woodrum	1 "	daughter

In witness of which I hereunto set my hand on this 12 day August 1896

A Absalom H Woodrum

The State of Texas }
County of Dallas }

In the case of Absalom H Woodrum and his heirs Claimants of Citizenship in the Cherokee nation as a Cherokee Indian by bloods before Dawes Commission, authorized under act of Congress of the united States, personally appeared this day before me J.C. Patton a Notary Public within and for the County and State aforesaid duly authorized to administer oaths. F. M. Oliver, to me personally well known to be reputable, and entitled to credit, and who being by me duly sworn according to law deposes and says my name is F. M. Oliver. My age is Forty seven years. My post office is Oak Cliff, Dallas County Texas. I am a printer and real estate dealer by occupation. I am a citizen of Dallas County, State of Texas and affiant declares in relation to the above named case as follows, to wit: I knew Benjamin F. Woodrum, the father of Absalom H. Woodrum

He lived in Denton County. Texas.
I knew him for eighteen
years. I have known Absalom
A. Woodrum for eighteen
years. He is the son of Benja-
min F. Woodrum. The said
Absalom A. Woodrum now
resides in Denton County State
of Texas.

F. D. Oliver

Sworn to and subscribed
before me this the 12th
day of August 1896.

J. C. Patton
Notary Public
Wise County
Texas.

5482

No.

Petition of
Absolum H.
Woodrum
for and on
behalf of
himself and
heirs

Filed Sept. 8. 1896.
N. J. McGowan
Com.

Rejected

The State of Texas }
County of Dallas }

In the case of Abalom H. Woodrum and heirs Claimant of Citizenship in the Cherokee Nation as a Cherokee Indian by blood, before the Honorable Dawes Commission authorized under act of the Congress of the United State personally appears this day before me J.C. Bolton a Notary Public within and for the County and State aforesaid, duly authorized to administer oaths J. J. Fowlkes, to me personally well known to be reputable and entitled to Credit, and who being by me duly sworn according to law deposes and says my name is J. J. Fowlkes. My age is Seventy two years. My post office is City of Dallas. Dallas County, State of Texas. Residence No 444 San Jacinto Street. I have been for forty years a former. I have no special occupation now. I am a citizen of Dallas County, State of Texas and appear in relation to the above named case. as follows to wit; I knew Jacob Woodrum

the grand father of Absalom H. Woodrum. He lived in Wilson County, Tennessee He is now dead. I knew the father of Absalom H. Woodrum. His name was Benjamin F. Woodrum. I knew him in Wilson County, Tennessee. He is also dead. I have known Absalom H. Woodrum the Claimant herein since he was a boy. He is a lineal descendant of Benjamin F. Woodrum and Mary Woodrum. The said Absalom H. Woodrum now resides in Denton County, State of Texas. The grand father of Absalom H. Woodrum, the Claimant herein ~~was an Indian and the daughter of~~ being a Cherokee Indian at his home in Wilson County State of Tennessee.

J J Lowrey

Sworn to and subscribed before me this the 12th day of August 1896.

J C Patton
Notary Public
Dallas Co. Tex.

The answers on this affidavit were made by the notary public and before signature by

J C Patton Notary Public

I, G. D. Farmer, do solemnly swear that on the 4th day of Sept, 1896, I saw a package registered at the postoffice at Wagoner I.T., addressed to Sam Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt No. 97, received from postmaster hereto attached, is a receipt for said package, which contained true copies of the applications of Bailey P. Woodrum and Absolum N. Woodrum and of the affidavits of F. N. Oliver and J. J. Fowlers, F.N. Oliver and J.J. Fowlers in support of same.

G. D. Farmer

Subscribed and sworn to before me on this the 5th day of Sept, 1896—

J. D. Freeman—
Notary Public—

REGISTRY RECEIPT.

Post Office at WAGONER, I. T.

Registered Letter No. 97 Rec'd Sept 4th 1896

of Absolum N Woodrum

Louisville Denton Co Tex

addressed to Hon. Sam Mayes

Chief of Cherokee Nation Tahlequah I.T.

Harry Hitch Asst. P. M.

Wagoner, I. T. Sept. 3 - 1896.

Hon. H. L. Dawes and others of the Commission:

Sirs:

Enclosed you will find claims of Absolum H. Woodrum and Baley P. Woodrum - certified copies of the same have been sent to the Chief of the Cherokee Nation -

As the above named gentlemen reside in Lewisville, Texas - You will please acknowledge receipt to them there

Yours Truly
L. W Mead.

Their P. O. is Lewisville,
Denton Co.,
Texas

Applicants names are Absolom H. and Baley P. Woodrum

End

5483

~~3426~~
5483

Edmond Henson

vs

Cherokee Nation

FILED SEPT. 8. 1896.
A. S. McKENNON
COM'R.

Rejected

Harrison Jem

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee Nation, Ind. Ter.:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ..... his ..... Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this his Application, to wit:

That he is the husband of ~~is the~~ Mary Ann Ruddles now Mary Ann Henson, who is the daughter of Benj Ruddles, and grand daughter of one Margaret Henson who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully asks you Honorable Counsilors that he be admited to all the rights & waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 53 years; Postoffice Harriman Tennessee.

Family, with their relationship attached is as follows:

No.	Name.	Sex.	Age.	Relationship.
1	Edmund Henson	Male	53	Applicant
2	Mary Ann Henson	Female	51	Wife of Applicant

In witness of which Application, I hereunto set my hand, on this the 26th day of August 1896.

Edmund his + mark Henson

Subscribed and sworn to before me this 26th day of August A. D. 1896

Isham Benefiel

Notary Public.

IDAHO BENEFIEL NOTARY PUBLIC ROANE COUNTY TENN.

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Mary E Bates who after being by me ____ duly sworn, states that she is 54 years of age, and is a citizen of Roane County and State of Tennessee and that she is personally acquainted with Edmund Henson who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his appliciaton for citizenship in said Nation, and that the said Edmund Henson is the husband of Mary E Buddles nee Mary Henson who is the daughter of Ben Buddles and grand daughter of Pagy Henson and I was well acquainted with all and know that they were all known, recognized and admitted to be Cherokee Indian blood, and the above named Pagy Henson was known recognized and acknowledged by all of her friends, neighbors and acquantance to be a Cherokee Indian of full blood. Affiant further says I formerly lived in Cherokee County North Carolina in the same neighborhood with them. And I know many Cherokee Indians

Affiant further states that she has known the said Mary E Henson for the past 45 years, and knows that she is and has beeen recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Mary E Henson is of Indian blood. That from the above facts and circumstances, and from statements made to her by the said Mary E Henson affiant states she has every reason to believe, and does believe, that the said Mary E Henson is of Cherokee Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of the said Edmund Henson to citizenship in the Cherokee Nation, I. T.

Mary E. Bates

Subscribed and sworn to before me this 28 day of August A. D., 1896 and I further certify that I am well acquainted with the said Mary E Bates and know her to be a person of credibility and of truth and veracity.

W D Reagy Notary Public.

My Commission expires on the 12th day of January 1898

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roan }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Benjamin Franklin who after being by me ____ duly sworn, states that he is 66 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Edmund Henson

who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his applicaton for citizenship in said Nation, and that the said Edmund Henson is the husband of Mary Ann Rudles now Mary Ann Henson. Who is the daughter of Rena Rudles and grand daughter of Pagy Henson and I was well and intimately acquainted with them all and know that they were all known, recognized and admited to be of Cherokee Indian blood and the above named Pagy Henson was known recognized and acknowledged by all of her friends Neighbors and acquaintances to be a cherokee Indian of full blood. Affiant further says I formerly lived in Cherokee County North Carolina in the same neighborhood with them and I know many cherokee Indians

Affiant further states that he has known the said Mary Henson for the past 50 years, and knows that she is and has beeen recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Mary Ann Henson is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Mary Ann Henson affiant states he has every reason to believe, and does believe, that the said Mary Ann Henson is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Edmund Henson to citizenship in the Cherokee Nation I. T.

his
Benjamin X Franklin
mark

Subscribed and sworn to before me this 28 day of Aug A. D., 1896, and I further certify that I am well acquainted with the said Benjamin Franklin and know him to be a person of credibility and of truth and veracity.

D. T. Peterman Notary Public.

My Commission expires on the 17th day of January 1898

End

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CARAWISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of .....himself..... and ...his.....children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which ...his... claim is based are as follows, to-wit:

That the name of your petitioner is Geroge R. Ray; that he is 37 years of age; that his post-office address is Detroit, Lamar County, Ala. That he is an admixture of white and Cherokee, and is at least one-sixteenth Cherokee blood. That he derives his Cherokee blood from his mother the late Louisa Jane Evans, who is was one-eighth Cherokee blood, and who is the daughter of the late Wil iam Thos. Evans. That the said Wiliam Thos. Evans resided in the old Cherokee Natia, in that is now he State of Tenn. and was one-fourth Cherokee blood, and who was the son of the late James Evans, who resided near what is now the city of Chatan oga, in what is now the county of Hamilton, in the State of Tenn., and who was born, in the year of 17...., and who died in the State of Tenn., in about the year of 1835; and who resided with and lived among the Cherokees, all of his life, and who spke the Cherokee Indian language, and who was a half-blood Cherokee, and recognized citzen and member of the Cherokee tribe of Indians and of the Cherokee Nation.

Affiant further states that he has intermarried with Rebecca A. Davis, and by such intermarriage there were born, and are now living, the herein below mentioned children. That said children are of Cheroke. blood.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Affidavit of Richard Green Evans,

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

George R. Ray
Applicant.

NAMES.	AGES.	RELATIONSHIP.
Edana E.	11	daughter
Ada Jane	9	"
Geo. W.	7	son
Lulla E.	5	daughter
James M.	3	son
John	1	"

Indian Territory, The State of Ala
.....District. Lamar County

Personally appeared before me, the undersigned, a Notary Public within and for the State and .....County and aforesaid ...George R. Ray... who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

George R. Ray

Subscribed and sworn to before me this the 5 day of Sept 1898.

John H. Ray

My commission expires on the ..... day of ..... 1898. Notary Public.

Geo. R. Roy 8484

vs

Cherokee Nations

To be filed & made
part of Case Files

Filed Sept. 8th - 1896.
D. S. McKennon.
Clerk

Rejected

Joseph R. Mueller
Atty
for Cherokee Nation

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ..... George R. Ray .....
FOR ADMISSION TO CITIZENSHIP IN THE ..... Cherokee ..... NATION.

STATE OF Alabama .....
COUNTY OF Lamar ..... } SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid Personally appeared Richard Green Evans who, being by me duly sworn states:
That he ...is..... years of age, a resident of the State of Alabama ..... and County of Lamar ..... and that he ..is personally acquainted with George R. Ray ..... who is an applicant for citizenship in the ...Cherokee ..... Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Geo. R. Ray is an admixture of white and Cherokee and is at least one-sixteenth Cherokee blood. That he is the son of the late Louisa Jane Ray nee Evans. That the said Luisa Jane Ray nee Evans was the son of the late William Thos. Evans. That this affiant remembers well the said William Thos. Evans, and this affiant knows full well that his complexion and physical appearance of the said William Thos. indicated very strongly that he was of Cherokee blood. Affiant further states that the he has always been taught by the said William Thos. Evans, from his earliest infancy that he was the son of the late James Evans, who resided in Hamilton County, State of Tenn., and who was a half-blood Cherokee, andwas a recognized citizen and member of the Cherokee tribe of Indians.

Affiant further states that the knows that the said Geo. R. Ray is the idenitical person that he represents himself to be in his application for Cherokee citizenship; and that he verily believes that the said Geo. R. Ray is a direct lineal descendant of the late James Evans great Cherokee Indian family; and that he and his descendants are rightfully entitled to the rights of citizenship in the Cherokee Nation, by virtue of their Cherokee blood.

Affiant further states: That ...he..... has known the said ...Geo. R. Ray ..... for the past ..... years, and knows that ...he.... has been and is recognized by ...his..... neighbors, acquaintances and the public generally as having ...Cherokee..... Indian blood and that the complexion and physical appearance of the said ...Geo. R. Ray ..... indicate that ...he..... is of ...Cherokee.... Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said ..... Geo R. Ray ..... he believes the said ...Geo. R. Ray ..... to be a descendant by blood of the ...Cherokee..... Indian tribe.

R. G. Evans
.....

Subscribed and sworn to before me this ...5..... day of ...Sept..... ....189.6.

J. Elmer Ray
.....
NOTARY PUBLIC.

My commission expires ...2 Jan 1898.

End

State of Missouri }
County of Randolph } Moberly Mo Sept 5th 1896

To the Honorable body of Commissioners
for the five civilized Tribe of Indians
known as the Dawes Commission I
the undersigned Charles B. Philpott
applicant and claimant by law being
related by blood to the Cherokee Indian
Tribe. and herein Submit the following
proof. My relation comes from my Mother
and Grandmother Side. My Mother
Maried Charles Philpott. and I being
their only child now living. My Mother
was the daughter of Mary Bassett whose
maiden name was Mary Hunter
Said Mary Hunter was the Daughter
of Alexander Hunter of Virginia who
Emigrated from Tennesee. and he
being half blood Cherokee Indian
and being the same family of
Hunters as appear on the Rolls of 1835
I have been maried twice and
both of my wives being dead. by
my first marriage. three children
living Now over 21 years of age Names
as follows Alexander B. Philpott. James
C. Philpott & Martin E. Philpott. and
by Second marriage One child whose
name is Charles H. Philpott age 7 years
Seal (Signed) Chas. B. Philpott

4740 5485

[illegible] B. P. [illegible]

v.

[illegible]

Filed 9/[illegible].

[illegible]

Rejected

[illegible]

State of Missouri }
County of Randolph }

on this Sept 5th 1896 Charles B. Philpot who is
Personally appeared before me and
Signed and acknowledged the foregoing
affidavit and I Certify that said Charles
B. Philpot is personally known to me My
term of office July 2d 1899 Wm B Linnard
Notary Public

State of Missouri
County of Randolph }
On this 5th day of September 1896 Personally
appeard before me a Notary Public for
Randolph County Missouri
Houston Mathews and Geo W. Morris
and State they have known C. B. Philpot
all their lives and know him to be
creditable and reliable
(Signed) Houston Mathews
Geo W. Morris

State of Missouri
County of Randolph } ss

Sworn subscribed to before
me this 5 day of Sept 1896. My
term of office July 2d 1899
Wm B. Linnard
Notary Public

B 24

5485

Nation's No. 3222.

Commission's No. .....

In re Application of

C. B. Philpott, et al.

Demurrer and Answer.

FILED SEPT. 21 1896.

A. S. McKENNON

COM'R.

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
C. B. Philpott, et al. Nation's No. 3222.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Alexander Hunter through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

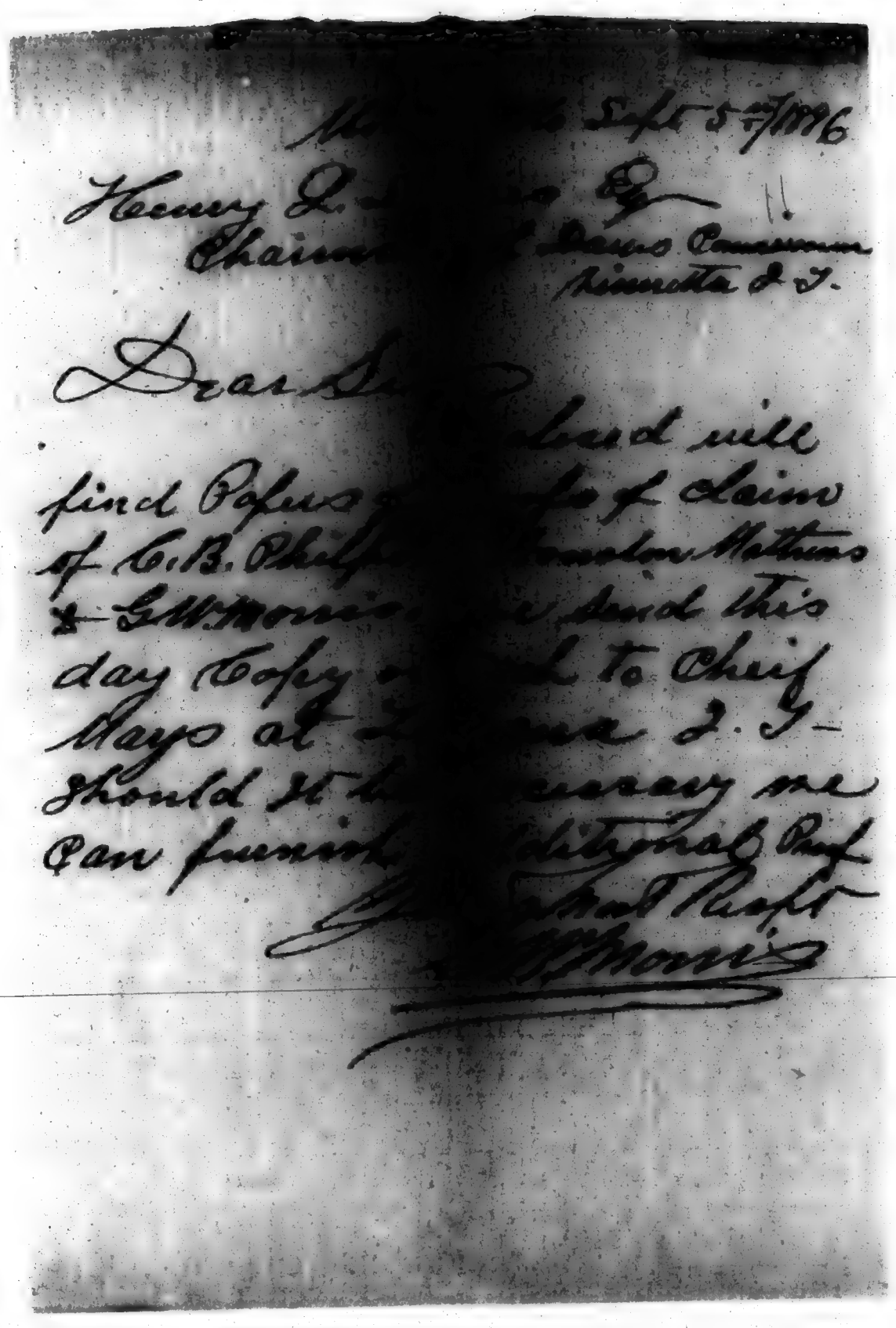
John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

Jno L Adair

Subscribed and sworn to before me this, the 26 day of Sept 1896.

D. J. Ball

NOTARY PUBLIC.



3

End

5486

Nation's No.

~~Commissioner's No.~~ 708

In re Application of

Henry C. Truelsen et al

Demurrer and Answer.

FILED SEPT. 15 1896.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Henry B. Freeland et al

Nation's No. 703

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that George Campbell through whom the petitioners claims to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Benedict Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16th day of Sept 1896.

D. J. Bell

NOTARY PUBLIC.

Indian Territory,
Northern District.

I J. P. Buster

do solemnly swear that I did on this 4 day of September 1896

deliver to Hon Thurman Adair Chief

of the Cherokee Nation, of his office in the Town of Tahlequah,

a true copy of the within application of Henry C.

Foland et al affidavits

herete attached

J. P. Buster

Subscribed and sworn to before me this 4 day of Sept 1896

W. D. Wasson

Notary Public.

My Commission Expires Jan 3rd 1900.

HOL. CHALK DIVISION

Before the Honorable Commission
Sitting at Tahlequah I.T. in the Hearing and
determining Petitions for Citizenship in
the Cherokee Nation Indian Ter.

In the Case of
Henry C. Freeland
and Robert L. Freeland
} Petition for re-admission
Citizenship in the
Cherokee Nation Ind. Ter.

Your Petitioners Henry C. and Robert L.
Freeland would respectfully submit herewith
their applications for Citizenship in the
Cherokee Nation I.T. and in support of
their said Petitions the affidavits of the
following named witnesses;
Anna C. Freeland, Jeremiah P. Freeland and
Rachel A. Higdon and Henry C. Freeland
the evidence of all the witnesses show
that Henry C. Freeland is the Grandson
of George Campbell whose name will
be found on the Rolls of Cherokee Indians
Made in the year 1835
Your Petitioner Henry C. Freeland was at one
time recognized as a Citizen of the Cherokee
Nation Indian Territory Voting Drawing
provision and otherways participating
as a Citizen of the Nation
and according to the Customs and usages
of the Cherokee Nation both of the Petitioners
are entitled to Citizenship in the Cherokee
Nation Ind. Ter.

W. D. Watson Attorney for
Petitioners

Tahlequah I.T.

Application

To the Honorable Commission to the five Tribes authorized to hear and determine rights of Citizenship in the Cherokee Nation

Your Petitioner Henry L. Freeland for himself and for others members of his family mention below applys for enrollment as a Cherokee Citizen States
That he is the son of one Zelpha Freeland and that the said Zelpha Freeland is the daughter of one George Campbell, and the said George Campbell was a member of the Cherokee tribe of Indians and was a Cheroke Indian by blood and as such was enrolled in the year 1835 as shown by the rolls of the Cherokees made and taken in that year.
Your petitioner further States that he has been recognized by the Cherokee tribe of Indians as a member of said tribe, and has from time to time drawn money as a member of said tribe of Indians and voted for officers of the Indian Government and in many other ways exercised the right of a citizen and was informed and believed that his name was on the rolls of 1880 and still believes that his name was on said Rolls; but from some cause unknown to Your petitioner his name has been droped from

the Rolls of said Tribe and he is now
denied it's Citizenship.
Your petitioner States further that he is
a Cherokee Indian by blood and derived
his Indian blood from his ancestors
above mentioned; and that he is entitled
to all the rights, benefits and privileges
appertaining to Cherokee Citizenship.
Your Petitioner further says that he has
always been and is now ready and willing
to obey the laws and to assume his
portion of the burdens of the Government.
The age of your Petitioner is 45 year his
Post Office Cookson Ind Ter. and his
family by virtue their of Cherokee blood consist
of the following name persons
Ellen Nevada, aged 21 years Lee Logan, aged
16 years Louis T. aged 13 years Willie Andrew aged
10 years Martha E. aged 8 years Ida Louisa; aged 7 years. Delia
aged 3 years, and Frank Ellis Mellon
Wherefore your petitioner prays that he
and his said descendants be enrolled
as Cherokee Citizens
Henry C Freeland
Subscribed and Sworn to before me
this the 3rd day of August A. D. 1896
W. D. Matson
Notary Public
My Commission Expires Jan 3rd 1900

APPLICATION.

TO THE HONORABLE COMMISSION TO THE FIVE TRIBES authorized to hear and determine rights to citizenship in the Cherokee Nation:-

YOUR PETITIONER, Robert T. Freeland, for himself ~~and for other members of h family mentioned below, applying for enrollment as a Cherokee citizen states;~~ applying for re-admission and enrollment as Cherokee Citizen.

That he is the Son of one Henry G. Freeland; and the said Henry G. Freeland is the Son of Selkha Freeland and the said Selkha Freeland is the daughter of one George Campbell;

That the said George Campbell, ancestor of the petitioner, was Cherokee Indian by blood, and was duly acknowledged members of the Cherokee tribe of ~~X~~ Indians and that from said ancestors petitioner derives Cherokee blood, entitling him to citizenship in the Cherokee Nation in the Indian Territory;

That the names of said Indian ancestors should be found on the rolls taken and made by the Cherokee Nation in 1835, ~~1848, 1851 and 1852~~;

Your petitioner further states that upon or about the ___ day of _____, A. D. 18___, application was made by h____ to the duly constituted authorities of the Cherokee Nation for admission as a citizen thereof and to the rights, benefits and privileges appertaining thereto, which application was refused or not acted upon by said authorities;

Your pwtitioner further says that he has always been and is now ready and willing to become a resident and citizen of said Nation and subject to its laws and usages and to assume his portion of the burdens of government.

The age of your petitioner is 23 years. His post office is Tahlequah, in the ~~state of~~ Ind. Ter., ~~and h family by virtue of their Cherokee blood consist of the following named persons~~

_____; _____;

_____; _____;

_____; _____.

Wherefore your pwtitioner prays that he ~~and h said descendants~~ be enrolled as Cherokee citizens.

Robert T. Freeland

Subscribed and Sworn to before me
This the 28 day of July A. D. 1894

W. D. Mason
Notary Public

My Commission expires Jan 3rd 1900.

United States of America
Northern District Indian Ter.

Before me the undersigned authority personally appeared Anna E. Freeland well known to me to be a woman of good reputation for truth and good moral character who after being by me duly sworn says upon oath: That my name is Anna E Freeland I am 64 years old my Post office is Tahlequah Ind Ter, I am acquainted with Jesse Petticoat Henry E Freeland I have known him all his life he is my nephew. a son of my sister Selphia Freeland; her maiden name was Campbell we were the daughters of George Campbell a Cherokee Indian by blood and a member of the Cherokee Tribe of Indians; and the said Henry E Freeland is a Cherokee Indian by blood deriving his Cherokee blood from his Mother Selphia Freeland who derived her Cherokee blood from George Campbell her parties aforesaid

Rachel A. Higdon
Jos. H. Higdon Test

Anna E her mark Freeland

Subscribed and Sworn to before me this the 15th day of August A.D. 1899

J. D. Matthews
Notary Public

My Commission expires Jan 3rd 1901.

United States of America
Northern District Alabama } Before me the undersigned
authority personally appeared
Henry H. Freeland who after being duly
sworn says that his name is Henry H.
Freeland and that Petitioner Robert T. Freeland
is my son by my first wife and is grand-
son of Thos. Freeland and Great Grand-
son of George Langhorn who was a full
blooded Indian by blood and that said
Petitioner Robert T. Freeland is a
Cherokee Indian by blood and entitled
& citizenship in the Cherokee Nation

H. H. Freeland

Subscribed and sworn to before me
this the 3 day of August A.D. 1896

[illegible]
Notary Public

My Commission expires June 3rd 1900

Application of
Robert P. Greenland for
Citizenship in the
Cherokee Nation 9.1.1

Wm D. Masson
Attorney for Petitioner
Tahlequah
I.T.

United States of America
Northern District Ind. Ter. }

Before me the undersigned authority personally appeared Rachel A. Higdon and Jeremiah C. Freeland who after being by me duly sworn say upon their oaths that they live in the Cherokee Nation Indian Territory; and that Rachel A. Higdon is 55 years old and that Jeremiah C. Freeland is 46 years old; That they are acquainted with your Petitioner Robert T. Freeland; and that the said Robert T. Freeland is the son of one Henry C. Freeland; and that the said Henry C. Freeland is the son of Howell E. and Selpha Freeland; and that the said Selpha Freeland was the daughter of one George Campbell who was a member of the Cherokee tribe of Indians and whos name appears upon the Rolls of the Cherokee Indians taken and made in the year 1835.

That the said Robert T. Freeland is a Cherokee Indian by blood deriving his Indian blood from the said George Campbell as aforesaid; and that affiants have no interest in this action further than that Justice may be done

Jeremiah C. Freeland
Rachel A Higdon

Subscribed and Sworn to before me this the 28 day of July A.D. 1894

W. D. Watson Notary Public

My Commission expires Jan 3rd 1900.

Affidavit for Cherokee Citizenship 5486

of

Henry C. Freeland

vs

Cherokee Nation

Filed Sept. 7-1894

A. S. McKennon

Clerk

Reported

W. O. Watson

Attorney for Petitioner

Tahlequah I.T.

United States of America
Northern District- Ind. Ter.

Before Me the undersigned authority personally appeared Rachel A. Higdon and Jeremiah P. Freeland who after being by me duly sworn deposes upon their oaths that- Rachel A. Higdon is 55 years old and that Jeremiah P. Freeland 44 years old; and that they are acquainted with you petitioner Henry C. Freeland; and that the said Henry C. Freeland is the son of Howell C. and Delphia Freeland. And that the said Delphia Freeland was the daughter of one George Campbell a member of the Cherokee Tribe of Indians, and whose name appears upon the Rolls of the Cherokee Indians made in the year 1835; That the said Henry C. Freeland is a Cherokee Indian by blood deriving his Indian blood from the said George Campbell as aforesaid: and That affiants have no interest in this action suttes they that Justice may be done

Jeremiah P Freeland
Rachel A Higdon

Subscribed and sworn to before me
This the 3rd day of August A. D. 1896
W D Watson
Notary Public
My Commission expires Jan 3rd 1900.

End

5487

No 3181

Jesse Thornton. 6487

vs

Cherokee Nation

Chief, Treasurer, Principal Clerk

FILED SEPT 8 1896

A. S. McKENNAN
CLERK

Replied

[illegible] Atty

Copy.

State of Missouri } ss
County of Vernon

Chieftain Print, Vinita.

Isaac Thonton after being duly sworn states on oath

his age is 45 years; a resident and citizen of Nevada

county and state aforesaid; postoffice Nevada Mo. and has the

following children to-wit:

Jennie Cordelia Thonton

Lorenzo Clarence Thonton

Leroy Pillman Thonton

William Calvin Thonton

Percy Elzie Thonton

who were born to me in lawful wedlock and are my children as set forth in my application for citizenship in the Cherokee Nation.

x Isaac Thonton

Witness: J. T. David

Subscribed and sworn to before me this the 29 day of August 1896.

Jno D. Harding
Notary Public

I, Jno D. Harding do certify,

that Isaac Thonton is

creditable person and entitled to full faith and credit before any of the courts of the

state of any State in the Union.

Jno D. Harding
Notary Public

My commission expires 11/10 1896

POOR ORIGINAL -
BEST AVAILABLE COPY

Copy.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

GENTLEMEN:—

The undersigned, your petitioner, Isaac Thornton for and on behalf of himself & Children and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that Cherokee Indian by blood, deriving the same from Isaac Davis who lived on Shewting Creek in Cherokee County in the State of North Carolina and whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 18 35 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files their proof in support of said claim, and respectfully awaits the time when their application shall be heard and tried.

Respectfully submitted,

x Isaac Thornton

Enrollment of family, with relationship attached, as follows:

NAMES.	AGES.	RELATIONSHIP.
Jemiy Cordelia Thornton	20	Children
Lorenzo Clarence Thornton	17	
Leroy Pellman Thornton	15	"
William Calvin Thornton	13	"
Perry Elizabeth Thornton	11	"
Sally Elizabeth Thornton	44	Wife

IN WITNESS WHEREOF I hereunto set my hand this 29 day of 1896.

Isaac Thornton

Printed by THE INDIAN CHIEFTAIN, Vinita, I.T.

over

UNITED STATES OF AMERICA,
Indian Territory,
Northern District.

Isaac Thornton

of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Isaac Thornton

Subscribed and sworn to before me on this the 29 day of Aug 1896.

Jno T. Harding
Notary Public.

My commission expires 10/10 96.

Copy.

APPLICATION FOR ENROLLMENT

Nation's No. 4307

Commission's No. 3487

In re Application of

Isaac Thornton

Demurrer and Answer.

FILED OCT. 21,
H. M. J[illegible]WAY.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of.....

Isaac Thornton

Nation's No.....

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~is~~ is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Isaac Davis through whom the petitioner claims to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct 1896.

D. J. Bell

NOTARY PUBLIC.

End

5484

No. ~~[redacted]~~ 8488
2073

Hugh Vann
vs
Cherokee Nation

Filed this the
7th day of Sept.
1896. Dreadmon
Clerk

~~Freedmen~~

Demurred without
prejudice to affirm
Each claim to citizenship
& freedmen

Don Carlos
(22) Stanfield
Vinita I.T.

I, A. R. Baker, do solemnly swear that on the 7th day of September 1896, I sent a package registered at the post- office at Vinita, I. T. addressed to S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, I. T., that registery receipt No. H.S.S. hereto attached, is a true copie for said package which contained true copies of the application of ... Hugh Vann ..... and of the affidavits of Letter of H. Rook marked Exhibit "A", Affidavit of Hugh Vann marked Exhibit "B"... Joshua Holt marked "C"... Nelson Merrel marked Exhibit "D" .....

.....

.....

.....

in support of the same.

A. R. Baker?

Sworn to and subscribed before me this the 7th day of September, 1896

Harvey E. Dai-Cadez Jr.

Notary Public, My Commission Expires May 11th, 1900.

REGISTRY RECEIPT.

2

VINITA. SEP 7 1896 Cherokee Nation, Ind. Ter.

Post Office at .....

Registered Letter Parcel } No. H.S.S. Rec'd .....189 .

of W. J. Stanfield

addressed to S. H. Mayes
Tahlequah I.T.
Via Fayetteville A.T.

A P P L I C A T I O N F O R E N R O L L M E N T .

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, Alexander B. Montgomery, United States Commissioners ~~for~~ to the Five Civilized Tribes.

Gentlemen:- The undersigned your petitioner Hugh Vann for and on behalf of himself Minnie Vann, Maude Vann, Ada Vann, Spencer Vann, Gertie Vann, Harry Vann, Nettie Vann, Mary E. Vann, Elmer Vann, this day make this their application to you for the purpose of being placed on the roll of Cherokee Freedman entitled to Citizenship in said Cherokee Tribe or Nation and ask you to include the names of your petitioners in the list of members to be filed with the Commissioner of Indian affairs. As being of those entitled to share as Cherokee Freedman in the distribution of funds and allotments of land in the Cherokee Nation to Cherokee Freedman. Your petitioners herewith submit and make part hereof the evidence hereto attached to-wit:-The affidavit of Hugh Vann, marked Exhibit "B." ~~Amos Blair marked Exhibit "C."~~ Joshua Holt, Nelson, Merrel mentioned exhibit C marked Exhibit "D." and the ~~letter~~ signed W. Boot marked Exhibit "A." And make reference to the different rolls of Cherokee Indians and particulary the roll of 1852 which your petitioner believes will show the names of James Vann a Cherokee Indian who was the owner of Hugh Vann the petitioner signing this applicationm, in support of this application. The names, ages and relationship to affiant of those interested in this application are as follows,

Names,	ages,	Relationship to affiant.
Hugh Vann,	(60)	Affiant,
Minnie Vann,	(27)	Daughter
Maude Vann,	(23)	Daughter
Eddie Vann,	(18)	Daughter
Spencer Vann,	(16)	Son,
Gertie Vann,	(11)	Daughter,
Harry Vann,	(8)	Son,

Nettie Vann, (7) Daughter,

Mary E. Vann, (5) Daughter,

Elmer Vann, (2) Son,

all of which is respectfully submitted.

Witness to mark
Lewis T. Martin

his
Hugh X Vann
mark

Subscribed and sworn to before me this the 7th day of September, 1896.

Harvey E. Dow-Carlock

Notary Public, My Commission Expires May 11th, 1900.

Hugh Cain Esq
Denver.

You will have
to be at Pueblo on Aug 15-96
before the United States Court
to meet Orville Kolb & to
establish your rights according
to the Charokee Freedmen
Act, date of Aug. 26th 1896 &
Closed.

Be Govt not to an end
U.S. Court.

Address of Chief Patton.

Exhibit A.

POOR ORIGINAL -
BEST AVAILABLE COPY

United States of America,)
)
Indian Territory,) -:-ss-:-
)
Northern District. : : -)

----------X-X-X-X-X----------

I, Hugh Vann being first duly sworn on oath depose and say, my name is Hugh Vann, my ~~name~~ is I am about 60 years of age and at the commencement of the War and until freed by the Emancipation Proclamation I was a slave and was the property of James Vann a Cherokee Indian residing in Saline District of the Cherokee Nation of the Indian Territory. That in 1863 I was removed by the United States Army to Kansas and remained with the Army as an Officers Cook until 1865, and that in the fall of 1866 I came to the Cherokee Nation and worked and hunted here for something over a year when I returned to Kansas and after remaining there a short time I came back to the Cherokee Nation was there a few months at work, went back to Kansas was there but a short time and went to the Cherokee Strip where I remained about a year, I then came back to the Cherokee Nation and worked for Missouri Kansas and Texas Rail Road Company cutting ties and since that time I have been in Kansas a part of the time at work but have always claimed the Cherokee Nation as my home, and my home and post office is now Vinita, Ind. Ter. After James Vann died I suppose I belonged to either his wife Minnie Vann or to the Vann Estate. I married Elisabeth Jackson, she was not a Cherokee and a part of our children were born in the Cherokee Nation and a part in Kansas. The names and ages of our children are as follows, to-wit:-

Those living are,

Minnie Vann,	age 27 years
Maude Vann,	" 23 "
Ella Vann,	" 18 "
Spencer Vann,	" 16 "

Gertie Vann, age 11 years,

Harry Vann, " 8 "

Nettie Vann, " 7 "

Mary E. Vann, " 5 "

Elmer Vann, " 2 "

That said children reside and make their home with affiant. Petitioner further states that he applied to the Commissioners constituting what is known as the Freedmans Commission for enrollment and while waiting the pleasure of said Commission in Vinita he received word that two of his children to-wit:-Spencer and Nettie were both very sick and likely to die and after making arraingements to be notified when to return before said Commission he went to see his sick children that afterwards I received a letter notifying me what day to be in Vinita what day to appear before said Commission and establish my rights as a Cherokee Freedman. That in obedience to said letter I appeared in Vinita on the day designated for the purpose of appearing and proving my claim before said Commission and on arriving in Vinita I found that said Commission had adjourned and said Commission refused to hear my case or any of the proof I had to offer, the letter advising me to appear in Vinita and which I received by regular course of mail is in the words, following, to-wit:-

"Hugh Vann, Esq. Dear Sir:- You will have to be a t Vinita on August 15th, 96., before the United States Court to make Wallace Roll, to establish your rights according to Cherokee Freedmen. After date of August 26 they are closed. Be sure and be on hand. W. Boot. Kindness of Daniel Patton. " Said letter being hereto attached and marked Exhibit "A." and made a part hereof. Had I known said Commission intended adjourning when they did I would have been present with my witnesses and presented myself to them. I am satisfied I am entitled to enrollment as a Cherokee Freedman and I herewith attach and make

part hereof the affidavit of [redacted], [redacted] "K." and the affidavit of Joshaway Holt and marked Exhibit "J." and the affidavit of Nelson. Merrell ..... marked Exhibit "I." I further state that I have never become a citizen of any other Goverment, Nation or tribe nor taken any allotments of land or other property. And I would have lived in the Nation conticously and at all times if I could have found employment at my trade as a roof tinner.

Witness mark
Arthur Bricken

Hugh X. Vann
his mark

Subscribed and sworn to before me this the 4th day of September 1906

Henry E. Dow-Carter.

Notary Public. My Commission Expires May 11th, 1909.

Exhibit B

United States of America,)
Indian Territory : : : -) -:88:-
Northern District, : :-)

I, Joshua Hold being first duly sworn on oath depose and say that my name is Jousha Hold. I am about 48 years of age, and was born in Flint District of Cherokee Nation. I was the slave of William and Nellie Hold both members of the Cherokee Nation who afterwards lived near Webers Fall in Illinois District of said Nation. I know Hugh Vann, who makes application herewith to be enrolled as a Cherokee Freedman I first knew him in 1866 where he lived on Big Cabin Creek in Coo wee scoo wee District of the Cherokee Nation of the Indian Territory, at the house of Andrew Dougherty, a Cherokee Indian. He had been a slave of William and Nellie Hold and was sold to Widow Dougherty a Cherokee Indian. I have known him ever since that time and have been with him and seen him and know of his living in the Cherokee Nation. Most of the time since 1866, I worked with him in cutting ties on Timber Hill, near Blue Jacket and on Big Cabin Creek in the Cherokee Nation at the time the Missouri,Kansas and Texas Rail Road was being built. I have often seen him in Vinita and know that Vinita is his post office.

Witness mark
A.R. Parker

Joshua his X Hold
mark

Subscribed and sworn to before me this the 8th day of Septe ber,1896

Harry E. Dougherty

Notary Public, My Commission Expires May 11th, 1900.

Exhibit D.

United States of America,)
Indian Territory,) -: ss :-
Northern District. : : -)

I,, Nelson Merrel, being first duly sworn, on oath state that I am a Cherokee Freedman, that I am 78 years of age and my post-office is Coffeyville, Kansas. That I am well acquainted with Hugh Vann, and have known Him for the last 60 years. That when I first became acquainted with him he belonged to a man by the name of Jim Vann, and remained the property of Jim Vann up to the time of the War in 1861, when we became scattered and it was several years before we met again. I am positive, and state upon my oath that this is the same Hugh Vann that I knew 60 years ago, and who was the property of Jim Vann.

Witness to mark
a R Breeker
Lewis T Martin

his
Nelson N. Merrel
mark

Subscribed and sworn to before me this the 7th day of Sept. 1896

N. L. Stanfield

Notary Public. My Commission Expires
September 17th, 1899.

Exhibit F.

Nation's No. 47064

Commission's No .....

In re Application of

Hugh Vann

Demurrer and Answer.

Filed Oct 7. 1916.

M. J. Galloway

Clerk

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Hugh Vann

Nation's No. 4704

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Freedman through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

That applicant is a Freedman or a negro claiming to be a Freedman & he has not complied with the treaties

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bouchard Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 5 day of Oct. 1896.

D. F. Bat

NOTARY PUBLIC.

End

No 5489

W. Newton Corbitt
Et. al

v.s.

Cherokee Nation

" "

Order of Appeal

" "

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Wm. Newton Corbit et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

William Newton Corbit et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23rd day of Jan. 1897. A.D. 189 .

J. M. Owston Clerk.

Jane Corbit.

Office Commission on Citizenship.

Tahlequah, C.N. Feb'y 28, '87

Docket	Family	Names	Age	Sex	Post Office	Atty.
	1	Jane Corbit	60	Female	Echo, I.T.	
					Applicant for Cherokee Citizenship.	C.H.Taylor
					Roll 1835	
		V.S.			Ancestor	
		Cherokee Nation			Jack Downing	
		Filed Feb'y				
		February 28, 1887				

The foregoing case having been submitted by attorneys without evidence, the Commission decide that Jane Corbit is not a Cherokee by blood as alleged in her application and not entitled to citizenship in the Cherokee Nation.

Will P. Ross,
Chairman.

R. Burch, Com.

John E. Gunter Commis.

Attest.

D. S. Williams,
Clerk Com.

This 23rd day of April, 1889.

3/Nr

John L. Aaen

POOR ORIGINAL -
BEST AVAILABLE COPY

B
429
5489

Nation's No. 111

Commission's No .....

In re Application of

Mary Coats

Mary J. Conlit

Demurrer and Answer.

FILED SEPT. 6 1896.

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Mary J. Corbit - Nation's No. 110

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Jack Downing through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory.

That Jane Corbit who is the same as the Mary J. Corbit mentioned in the application and affidavits in this case - submitted her application for citizenship & a duly legally constituted Commission on citizenship, which tribunal has jurisdiction & finally determine her case and that said tribunal rendered a final judgment against her, a copy of which is hereto attached & made a part of this answer -

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes Prin Chief C.N.

By Hulbert, Hastings & Cadwalladr Atty

John L. Adair Exc Sec C.N.

S. H. Mayes, having been first duly sworn, states that the matters contained in the foregoing answer, are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 31 day of July 1896.

D. L. Bell

NOTARY PUBLIC.

End

5490

No ~~834~~ 5490

George Westley Davis Etal

vs

Chinkee Nation

Order of Appeal
U.S. Court

a/141

NOTICE.

200

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of .....

Geo Wesley Davis et al ..... to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes .....

You are hereby notified that an appeal has been taken in the matter of the application of

George Wesley Davis, Mazeppa Davis, and Cora Bell Davis,

to be enrolled as citizens of the Cherokee Nation, from said Commission to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 14th day of January, 1897 A.D. 189....

Jas A Dunton Clerk.

End

5491

ship. Filed

1895

FILED SEPT. 8 1891

Rejected

BRIEF.

SUSAN E. LAWLEY,)
VS)
CHEROKEE NATION.)

Whatever may be the property rights of this applicant should be left to the courts to decide when her rights are called in question, but she has married herself to a citizen of the United States, and not a member of the Cherokee Nation, and thereby forfeited all the rights and privileges she acquired by virtue of her marriage to her first husband, a Cherokee citizen.

(See Laws of the Cherokee Nation, 1892, page 332, section 666.)

~~Yuma~~ 1510

5491

Nation's No. 1210.

Commission's No. .....

In re Application of

Susan E. Lawley.

Demurrer and Answer.

FILED SEPT. 25 1906

A. S. McKENNON

fore the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Susan E. Lawley. Nation's No. 1210.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Bayhus Longley through whom the petitioner claim to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16th day of Sept. 1896.

D. H. Bell

NOTARY PUBLIC.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALDXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Susan E. Lawley for and on behalf of himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the

in support of said claim, and respectfully await the time when ours —application shall be heard and tried.

Respectfully Submitted.

Susan E. Lawley,

Enrollment of family, with relationship attached, as follows: Foyil, I.T.

NAMES.	AGE.	RELATIONSHIP.
Susan E. Lawley		Claimant is present wife of John P. Lawley a United States Citizen Claimant's first husband was Baylus Langley a Cherokee citizen and by this marriage there was one son Jamee Langley who died in 1891.

In witness of which I hereunto set my hand on this 2 day of Sept., 1896

Susan E. Lawley.

I have here to certify that the Bayliss Langley that Lizzie E. Langley Married was a son of Jack and Sallie Langley and an own brother of Dink Leach and Fannie Tipton. And was a Cherokee by blood

Indinid Manley

Subscribed and sworn to before me This the 28th day of August 1896.

William M. Hall.
Notary Public
My Com. expires Jan 16th 1900.

This is to certify that Susan E. Hamil
daughter of John and Nancy Hamil
was married to Baylus Langley March 24
A.D. 1866. Monroe Co. Miss.
I was present and saw them
married.
And also saw her Susan E. Langley
married to John P. Langley on Augus
the 23, A.D. 1874.

M J Crosslin

Subscribed and sworn to before
me this the 1st day of September
1896.

William M. Hall.
Notary Public.
My Com. expires Jan 16th 1900

I Claim a right in the Cherokee Nation on the ground that I married Bayless Langley a Citizen by blood on the 4th of March A D 1876 in Monroe County Miss. & emigrated to the Cherokee Nation in 1867 the Bayless Langley died in 1892 leaving me with one son James T. Langley who made a Farm of Five Hundred acres in the Cherokee nation on the Illinois river six miles west of Tahlequah, I. T. and he James T. Langley died Dec. 14 A D 1894 leaving me their except my self his Mother. it seems hard for any body to take my own and property from me that she and I have worked hard for simply because I Married John P. Langley August the 25 A D 1870 6 years & three months before the intermarriage Laws was past

Jennie E. Langley

Sworn and subscribed to before me
W. J. Dodson
Notary Public
This August the 26th 1896
My Commission Expires
June 8th 1899

POOR ORIGINAL -
BEST AVAILABLE COPY

This is to certify
that Lucas Bayless Langley
and that he knows a-bout
of Lock and Dalcie
Langley and was a
recognized therefore

Sol his x mark Langley

Subscribed and sworn to
before me this August 25.
1896

W. J. Ledson
Notary Public
My Commission Expires
June 8th 1899

State of Arkansas
Township of Antoine County of Clark.

Be it remembered that on 23rd day of Aug AD 1874, at the residence of Wm Daniels in the said County I a duly authorized minister of the Gospel in said County did duly join in in marriage Mr John P Lawley of Nevada County aged 29 years to Mrs Susan Langley of Clark County aged 26 years and then and there by authority vested in me did pronounce them Husband and wife Given under my hand and date above.

R. S. Rogers.

State of Arkansas
County of Clark.

I Joe H Stewart Circuit Clerk and Ex officio recorder in and for the County and State aforesaid do hereby certify that the foregoing marriage certificate was this day filed in my office for record and the same is now duly recorded in record book H. Page 287. In testimony whereof I have hereunto set my hand and affixed the seal of said County at my office in the town of Arkadelphia on this 19th day of September AD 1874.

Joe H Stewart Circuit Clerk
and Ex officio Recorder By W Badger D.C.

State of Arkansas
County of Clark

I A W Wilson Clerk of the County Court in and for the County and State aforesaid do certify that the within and foregoing is true and copy of the Record as to the marriage of John P Lawley to Miss Susan Dunphy as the same appears on record Book F Page 287.

Witness my hand and Seal of said County Court on this 18th day of August A D 1893,

A W Wilson Co Clk

C B Wilson D C

Received of James L Langley Twenty Dollars
one fourth thousand feet of Walnut
Lumber to be shipped beyond the Limits
of the Cherokee Nation —
May 20th 1891

H L Scott
Clerk of Commerce
Ch Dept N. C. Ch

OFFICE OF

H. H. TROTT,

CLERK OF

COOWEESCOOWEE DISTRICT, C. N.

Vinita, Ind. Ter., 4/17/ 189 1

To whom it May Concern

Whereas James F. Langley, a citizen of this Nation has Petitioned this Office for a Permit to Ship Walnut Timber

Now therefore I H. H. Trott Clerk of Coowescoowee Dist. C. N. Hereby Permit, authorize and empower the said James F. Langley to Ship, haul or carry without the Limits of this Nation any down walnut timber or walnut Stumps on his lawful claim in said Nation the only conditions of this Permit being that said Langley Hereby Binds himself to Comply with all the conditions and provisions of an act passed by the National Council, dated 1890, and entitled "an act authorizing the Sale and Shipment of Timber."

In witness whereof I have hereunto Set my hand and Seal of office this April 17th 1891.

H. H. Trott

Clerk Coowescoowee Dist.

C. N.

B R I E F

:-BEFORE THE HONORABLE DAWES COMMMISSION-:

In the matter of theClaim for citizenship in the Cherokee Nation, of Susan E. Lawley, as heir to and mother of James Lawlet, her son who died in 1891.

We submit the following abridged statement of facts, in this said Claimant's case, who is the present wife of John P. Lowley, a Citizen of the United States. Her first husband was Bayless Langley, who was a Cherokee Citizen, and James Langley was the son born of this marriage, and who died in 1891, as citizen and resident of the Cheokee Nation; having improved, togethe with his mother,a large tract of land, lying adjacent to the Verdigris River, near Foyil, I. T. Having no heir or heirs but his mother, this applicant, and who, if living would be a Cherokee Indian by blood, and entitled to Citizenship, as shown by proof hereto respectfully submitted.

Wherefore, we most respectfullyask that said Claimant, Susan E. Lawley, be recognized as the heir of her son, and be subrogated to all his rights, interests etc. as a citizen of the Cherokee Nation.

Hubbard Garland & Watts

---;

Att'ys for Petitioners.

End

5192

B 429
3492

Nation's No. 1303

Commission's No. .....

In re Application of

Henry Holland et al

Demurrer and Answer.

25 11

A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of .....

Henry Holland, et al, Nation's No. .....

Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that .....

.....through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Rowland Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16th day of Sept, 1896.

D. L. Ball

NOTARY PUBLIC.

11

No 3769 5492

Henry Holland et al.
Applicants

vs. Application for Citizenship on the Dawes commission

The Cherokee Nation
Defendant

Post Office Tahlequah I.T.

Negro Case for Answer

S

R. V. Wicket

G. W. BAKER.
Tahlequah

United States of America,)
Indian Territory,) ss. Affidavit of Service and Return.
Northern District.)

I, C. A. Thomas do solemnly swear that I did, on this 5th of September, 1896, serve on the Principal Chief of the Cherokee Nation, true, correct and literal copies of the above and foregoing original application, affidavits, record evidence and depositions and exhibits as follows, to-wit:

application of Henry Holland et al with affidavits of Dugo Welbon and Henry Hilson

certified to by G. W. Baker, N. P.

constituting all of the applications and testimony to be submitted to the Honorable Dawes Commission, in support of the claim of Henry Holland et al. for citizenship in the Cherokee Nation.

C. A. Thomas

Subscribed and sworn to before me this 5th day of September, A. D. 1896.

G. W. Baker

Notary Public.

My commission expires on the 21 day of Nov, 1899.

Henry Holland Et,al.
Applicants

VS

Et Al Commissioners
The Cherokee Nation
Respondents

Application for enrollment on the Hon Henry L et al Commissioners

To the Honorable Daws Commision a commisio: created for the purpose of determining the citizens of the cherokee Nation Indian Territory Your Applisant and petioner represents and states that he firmly believes that he is entitled to enrollment as a cherokee Freedman for reasons in that to wit that he was a cherokee slave and owned by a cherokee Indian in the cherokee Nation by the name of Mrs Nellie Martin and the said Mrs Nellie Martin Paised him as a slave and gave him to he Daughter by the name of Annie Martin and who Intermarried to one Frank Thompson and then was given to the daughter of The said Frankand Annie thompson whose name was Isabellea Thompson and who intermarried to one Ben R Wilson who were cherokee Indians and was carried to the state of Texas,by the said Frankand Annie Thompson and then was given to the said wife of the said Ben R Wilson before the late war between the north and the South and according to the treatoes of the cherokee Indians and the Inited States Dated July 19th 1866your aplicant firmly believes that he is entitled to citizenship and enrollment on your honorable commission and to all the rights and priveledges as other cherokee Freedman and he Further states that he has not forfeited any of his rights as a cherokee Freedman and he here with submits his proof and the facts and asks that your Honorable Commission give the same du consideration after all of which your applicant asks that he together with the other ~~aplicant s Beplaced~~ up-n the propper rolls as a citizen of the cherokee Nation Indian Territory and by virtue of said cherokee freedman your aplicants family consists as folows to wit ,

George Holland Age 28 yrs old Frank Holland Age 24 yrs old Elisha Holland age 10 yrs old Eliza Holland Age 8 yrs old Cordelia, age 6 yrs old Lenora Age 3 yrs old Elza L Holland Age 6 Monthe old and Vina his wife to all of which he respectfully submits and forever prays, His Post office ids Tahlequah I T.

Henry his X Holland mark

Subscribed and swoorn to before me this the 31 st day of August 1896

I G W Baker do hereby certify that the Above application are made and executed in two literal copies and that the above named was sworn to the same and the my commission expires on the 21 st day of Nov, 1899

G W Baker
Notary Public

(Not)

United States Of America,
Indian Territory
Northern District,

SS Affidavit in-reCitizenship Claim

On this day came before the undersigned Notary Public within and for the aforesaid district and Territory Appeared in person B F Wilson and states XXXXupon h Oath that in regard to the citizenship claim of Henry Holland,who is an Applicant for e nrollment on the Hon,Dawa Commission Citizenship Sensus RollWould state that h es age is 37 Years old and that he isaxm citizen of the cherokee Nation Indian Territory and That h es is personally well acquainted with the said Henry Holland and that he was a cherokee Slave and was owned as such slave by Isabelle Wilson who was a cherokee Citizen and that he was given his freedom by the Emancipation act of congress of the united States and I further state that he is the identical cherokee freedman that was owned by Isabella Wilson, wife of my mother, and the forgoing is to my own personal knoweledge My xxxxxxxxxxxxPost office Adress is Tahlequah I,T. and that I have no interest direcly or indirectly in the redult of the aforesaid citizenship claim

B. F. Wilson

Subscribed and sworn to before me this the 4th day of September A D 1896

G W Baker
Notary Public

United States of America
Northern District
Indian Territory

SS Certificate

I G W Baker anotary within and for the afore said district and Territory do hereby certify that the forgoing was executed in original duplicate copies and signed and sworn to at the same time and the person whose name is attached thereto is reliable and worthy of credit to be given to his statements in any court,My commision expires on the 21 st day of November A D 1899

Given under my hand and seal this the 4th dayxof September A D 1896

G W Baker
Notary Public

United States Of America
Indian Territory
Northern District } ss Affidavit in-re citizenship claim

On this day came before the undersigned Notary Public within and for the aforesaid district and Territory Appeared in person Duge Webber and state on his oath that his age 71.xxxxx years -ld and a citizen of the cherokee Nation Indian Territory and in regard to the citizenship odf Henry Holland That he has been personally acquainted with the applicantxxx Henry Holland before and ever since the close of the late war and know of my own knowledge that he was a cherokee Slave and was owned by Miss Annie Thompsonxxx Martin and who intermarried to one Franklin Thompson and who removed to the state of Texas and the said Annie Thompson had a Daughter by the name of And that the applicant came to the indian Territory in the month of May may and remained here in the Indian Territory and has ever since made this his home and that the reason I know this he came home to the cherokee nat Nation was he came the next monty, the year after the surender of the south that the soldiers was mistered out and that he n3ver has been out of the cherokee nation and i saw him frequently he wa was preaching the gospel to the cherokee colored people and other Derkeys in the cherokee nation and in and out here and there I state that I have no interest in the result of said claim of the said Henry Holland only as for justice being done My Post Office address is Melvin Cherokee Nation Indian Territory

Witnessed by B.P. Ramsey
I Mc Jones

his
Duge X Webber
mark

Subscribed and sworn to beforeme this the 2nd, day of September 1899

G W Baker
Notary Public

United States of America
Indian Territory
Northern District } I G W Baker do hereby certify that the forgoing affidavit was executed in duplicate copies and signed and sworn to at the same time My Comission Expires on the 21 day of Nov 1899

G W Baker
Notary Public

End

5493

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } SS

In the case of Stephen Romesley, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me

E. S. Cummings Notary Public

, within and for the County of Madison, State of Arkansas, aforenamed, duly authorized to administer oaths Isaac Vaughon to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: ; my name is Isaac Vaughon, my age is 77 Years, my Post Office address is Whitener Madison Co Ark I am a Farmer by occupation; I am a citizen of Whitener Madison Co. Ark and the affiant declares in relation to the above-named case as follows, to-wit: I am personally and well acquainted with Stephen Romesley who is a Son of Sidney Romesley who is a Daughter of Dilsey Vaughon who was a Daughter of Katie Vaughon who was a Daughter of John Vaughon who was a Cherokee Indian by blood

Subscribed and sworn to before me this 4 day of [illegible] 1896.

E. S. Cummings

Notary Public.

My commission expires 1 day of June, A. D., 1896

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } ss

In the case of Stephen Donnesley, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me E. B. Commings Notary Public

, within and for the County of Madison, State of Arkansas, aforenamed, duly authorized to administer oaths Lason Evans to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: ; my name is Lason Evans my age is 64, my Post Office address is Whiteres Madison Co Arkansas I am a by occupation; I am a citizen of Whiteres Madison Co Arkansas and the affiant declares in relation to the above-named case as follows, to-wit: I am personally and well acquainted with Stephen Donnesley who is a Son of Sidney Donnesley who is a Daughter of Dinghsey Vaughn who was a Daughter of Katie Vaughn who was a Daughter of John Vaughn who was a Son of Betsy Vaughn (nee Benton) who was a Cherokee Indian by blood and she was a full blood daughter of John Looney alias Looney Eagle

Subscribed and sworn to before me this 4 day of Sept 1896.

E. B. Commings

Notary Public.

My commission expires 1 day of January, A. D., 1898

Original

APPLICATION FOR CITIZENSHIP.

To the Honorable Dawes Commission, Vinita I. T.

The undersigned, Stephen Holmesley, your petitioner, makes this, his application for admission to citizenship in the Cherokee Nation in accordance with all the Treaties, the Constitution and Laws of said Cherokee Nation and respectfully submits the following statements of facts for the grounds of his claim that he is the son Sidney Holmesley & the Grand son Delphany Vaughan & the Great Grand son Katie Vaughan & the Great Great Grand son of John Vaughan & the Great Great Great Grand son of Fanney Vaughan nee Benton who was a Full Blood daughter of Doda Cooney who, your petioner firmly believes, was a Cherokee Indian by blood, and that the name of said ancestor should be found to appear on the census rolls taken and made of Cherokees East of the Mississippi River in the years 1835-1848-1851 or 1852, and your petitioner respectfully awaits the time when his application shall be truly heard and passed upon; that the age of your petioner is 29 years; that his Post Office addres is Springdale Ark; that his family by virtue of Cherokee Indian blood consists of the following names, to-wit:

NO	NAME	SEX	AGE	RELATIONSHIP	REMARKS
1	Stephen Holmesley	M	29	applicant	
2	Edna "	F	3	daughter	
3	Floy "	F	1	son	

In Witness whereof I have hereunto set my this the 4 day of Sept 1896.

Stephen Holmesley

Subscribed and sworn to before me this the 4 day of Sept 1896.

B B Commings

My commission expires the 1 day of June 1898 Notary Public

End

5494

1656 5494

E. J. Hinson

vs

Choctaw Nation

Filed Sept 7th 1896

A. S. McKennon

Comr

Rejected

E. P. Williams

Chickasaw Nation

T. VATTEHA

Original

APPLICATION FOR CITIZENSHIP.

To the Honorable Dawes Commission, Vinita I. T.

The undersigned, E. J. Hinson, your petitioner, makes this, his application for admission to citizenship in the Cherokee Nation in accordance with all the Treaties, the Constitution and Laws of said Cherokee Nation and respectfully submits the following statements of facts for the grounds of his claim that she is the daughter of Nancy Lisk nee Evans & the Grand daughter of Susan Evans nee Vaughan & the Great Grand daughter of Daniel Vaughan & the Great Great Grand daughter of Fanny Vaughan nee Brewton who was a Grand daughter of John Loony who, your petioner firmly believes, was a Cherokee Indian by blood, and that the name of said ancestor should be found to appear on the census rolls taken and made of Cherokees East of the Mississippi River in the years 1835-1848-1851 or 1852, and your petitioner respectfully awaits the time when his application shall be truly heard and passed upon; that the age of your petioner is 23 years; that her Post Office addres is Huntsville Madison Co Ark; that her family by virtue of Cherokee Indian blood consists of the following names, to-wit:

NO.	NAME	SEX	AGE	RELATIONSHIP	REMARKS
1	E. J. Hinson	F	23	applicant	
2	Henry Merl Hinson	F	2	daughter	

In Witness whereof I have hereunto set my this the 4 day of Sept 1896.

Emily J Hinson

Subscribed and sworn to before me this the 4 day of Sept 1896.

E B Cozzens

My commission expires the 1 day of June 1898 Notary Public

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } SS

In the case of E J Hinson, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me

E B Cummings
a Notary Public

, within and for the County of Madison, State of Arkansas, aforenamed, duly authorized to administer oaths Isaac Vaughan to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: First ; my name is Isaac Vaughan my age is 77, my Post Office address is Wheatley Ark I am a Farmer by occupation; I am a citizen of Madison Co Ark and the affiant declares in relation to the above-named case as follows, to-wit: I am personally and well acquainted with E J Hinson nee Seitz who is a Daughter of Nancy Seitz who is a " of Susan Evans who was a " of Daniel Vaughan who was a Son of Family Vaughan nee Burton who was a Brother of Isaac Vaughan Daughter of John Looney who was a Cherokee by blood

Subscribed and sworn to before me this 4 day of April 1896.

E. B. Cummings
Notary Public.

My commission expires 1 day of June, A. D., 1898

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } SS

In the case of E J Dixon (nee Reily), claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me

E B Cummings Notary Public

, within and for the County of Madison, State of Arkansas, aforenamed, duly authorized to administer oaths to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: ; my name is Susan Evans
my age is 64, my Post Office address is Whitney Madison Co Ark
I am a by occupation; I am a citizen of Whitney Madison Co Ark
and the affiant declares in relation to the above-named case as follows, to-wit: I am personally and well acquainted with E J Dixon (nee Reily)
who is a Daughter of Mary Reily
who is a daughter of Susan Evans
who was a Daughter of Daniel Vaughan
who was a Son of Fanny Vaughan (nee Benton)
Susan Evans

Subscribed and sworn to before me this 4 day of Feb 1896.
Who was a Cherokee by blood
E B Cummings
Notary Public.

My commission expires 1 day of June, A. D., 1898

End

5495

~~3426~~ 5495

Isiah Crowe

vs

Cherokee Nation

FILED SEPT. 8. 1896.
A. S. McKENNON
COM'R.

Denied

Fees Sept. 10 1896
Witness sworn
sec'y

Denied

Harrison Jones

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee *Nation, Ind. Ter.:*

GENTLEMEN:—The undersigned, your petitioner, this day makes this first Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this first Application, to wit:

That she is the daughter of one Daniel Colton who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this first Application for, first Citizenship by blood, and respectfully waits the time when first Application shall be truly heard and tried. Respectfully submitted.

Age 49 years; Postoffice Graysville Tennessee

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship
1	Sarah Cross	F.	49	Daughter of Daniel Melton and Granddaughter of Elsie Melton
2	Susan Ally Cross	F	21	Daughter of Sarah Cross
3	Vesta Cross	F	14	" " "
4	John Cross	M	10	Son of Applicant

In witness of which Application, I hereunto set my hand, on this the 1st day of September 189 6

attest S. H. Melton

her Sarah × Cross mark

Subscribed and sworn to before me this 1st day of September A. D., 189 6

William Fox Notary Public

JOSEPH P. BYERS, *Attorney at Law.*

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Rhea }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared D. H. Helton who, after being by me Sworn duly sworn, states that he is 72 years of age, and is a citizen of Rhea County and State of Tennessee and that he is personally acquainted with Sarah Hilton nee Sarah Ross who is an applicant for citizenship in the Cherokee Nation, I. T. and affiant further states that the said Sarah Ross is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Sarah Ross is the daughter of Daniel Hilton and granddaughter of Peter Helton and that he was well and intimately acquainted with the said above named Peter Helton for 18 years, before his death and he knows that the above named Peter Helton was known, recognized and acknowledged to be of Cherokee Indian blood and descent by all of his neighbors and acquaintances, and the said Peter Helton was known and considered and acknowledged to be a Cherokee Indian of full blood.

Affiant further states that he has known the said Sarah Ross for the past 40 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Sarah Ross ~~indicates that the said Sarah Ross~~ is of Indian blood. That from the above facts and circumstances, and from statements made to me by the said Sarah Ross affiant states that he has every reason to believe, and does believe, that the said Sarah Ross is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Sarah Ross to citizenship in the Cherokee Nation, I. T.

D. H. Helton

Subscribed and sworn to before me this 1st day of September A. D., 1896 and I further certify that I am well acquainted with the said D. H. Helton and know him to be a person of credibility and of truth and veracity.

William Fox Notary Public.

My Commission expires on the — day of January 1899.

~~JOSEPH P. BYERS, Attorney at Law.~~

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Rhea }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Henry Clouse who after being by me both duly sworn, states that they are ~~is~~ 42 years of age, and ~~is a~~ citizen of Rhea County and State of Tennessee and that they are personally acquainted with Sarah Cross who was Sarah Belton who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person She represents her self to be in her appliciaton for citizenship in said Nation, and that the said Sarah Cross is the daughter of Daniel Belton That they were well and intimately acquainted with the said Daniel Belton for about 17 years. ~~to~~ his death. That they judged from his appearance that he was of Cherokee Indian blood. That his actions and habits ~~a~~ indicated plainly that he had Cherokee Indian blood in him. That they have known ~~s~~ Sarah Cross for about 29 years.

Affiant further states that ~~has known the said~~ for the past ~~years, and knows that~~ is and has been recognised and treated by neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said is of Indian blood. That from the above facts and circumstances, and from statements made to by the said affiant states has every reason to believe, and does believe, that the said is of Cherokee Indian blood.

Affiant further states they have no interest whatever in the prosecution of the claim of the said Sarah Cross to citizenship in the Cherokee Nation, I. T.

attest: William Fox

Henry X Clouse
mark
P M Clouse

Subscribed and sworn to before me this 1st day of Sept A. D., 1896, and I further certify that I am well acquainted with the said affiants and know them to be person of credibility and of truth and veracity.

William Fox Notary Public.

My Commission expires on the ——— day of January 1899

End

5496

~~No 396~~ 5796

Mary J. Hinsley application
to be Enrolled as a Citizen
in Cherokee Nation
J. T.

Filed Sept. 9. 1896
A. S. McClellan Clerk

Rejected

E. E. L. Talley. Atty
P.O. Blue Ridge Ga.

REGISTRY RECEIPT.

Post Office at VINITA. SEP 9 1896

Registered Letter / Parcel / No. 193 Rec'd Cherokee Nation, Ind. Ter. 189

of G. E. K. Folls

addressed to J. H. Mayes
Tahlequah I.T.
Da Bayou P.O.

VINITA, IND. TER., Sept 1 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, J M Ledgerwood, do solemnly swear that on the 9 day of Sept, 1896, I saw a package registered at the postoffice at Vinita, addressed to D. B. Bruner, Parkhurst, Governor or Chief of the Cherokee Nation, Ind. Ter., that registry receipt, No. _____, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Mary Stanley and of the affidavits of _____ and _____ in support of same.

J M Ledgerwood

Subscribed and sworn to before me, on this 9 day of Sept 1896.

J Hamilton

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

APPLICATION FOR CITIZENSHIP.

To THE HONORABLE HENRY L DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Mary J Hensley makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to wit:

That She is the daughter of one Weaks Hill and wife of John Hensley and the grand daughter of one [redacted] and the of one Andrew Hill (whoded in I. T.) who your petitioner firmly believes was a part Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to Citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokees East of the Mississippi river.

That She can provon her Indian Blood by Coon Thompson who Rulides near Tallequah Cherokee Nation Indian Territory, and desires his evidence in her application

Your petitioner is 41 years of age her postoffice address is Isabella Polk County Tenn and her family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE.	RELATIONSHIP.
Mary J Hensley	41.	wife of John H Hinsley white
William A Hensley	17 years	Son
James M. Hensley	15 "	[redacted]
Doria A Hensley	4 "	daughter
Imogen E. Hensley	2 "	daughter

Your petitioner herewith submits the proffs of this application and respectfully awaits its determination, and hereby appoints, with full power of substitution and revocation, Dr. Gilbert E. L. Falls irrevokable, of Blue Ridge, Fannin County Georgia his true and lawful attorney to prosecute the claim for Citizenship in Cherokee Nation I. T., and he is hereby authorized to do everything as if I did it myself in said case, hereby ratifying and confirming everything that my said attorney may lawfully do.

STATE OF Tennessee COUNTY OF Polk

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

(Affiant) Mary J Hensley

Sworn to and subscribed before me this August 27, 1896, and I hereby certify that petitioner is known to me as the identical person represented in the petition and is a person of good character and worthy of credit, and I read the foregoing to her before signing. I have no interest in the same. Given under my hand and seal of Court.

James Parks
Notary Public

End

~~10~~ 5487

~~Henry C. Thompson, et al~~

~~vs.~~

~~Cherokee Nation.~~

~~10~~ 430

Liberal

v

Watts et al

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Sarah M. Ukles, et al to be enrolled as citizens of the Cherokee Nation.

TO THE Hon. Dawes Commission &c

You are hereby notified that an appeal has been taken in the matter of the application of

Sarah M. Ukles, et al

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 13th day of Feby A.D. 1897.

Clerk.

End

5498

1094 5498

W. J. Hammons

v.

Delaware Indians

Filed Sept 8, 1896

H. M. Jamison

Clerk

All

Rejected

P. O. address

withdrawn only

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } ss

In the case of W. L. Hammons, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me J. B. Lewis a Notary Public

_____, within and for the County of Madison, State of Arkansas, aforenamed, duly athorized to administer oaths Nancy Evans to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: first ; my name is Nancy Evans; my age is 64, my Post office address is Whitney Ark, I am a ~~~ by occupation; I am a citizen of Ark Madison Co and the affiant declares in relation to the above-named case as follows, towit: I am personally and well acquainted with W. L. Hammons who is a son of Stokely Hammons's who is a " of Polly Hammons nee Vaughn who was a daughter of John Vaughn who was a son of Fereby " nee Burton Who was the grand daughter of John Looney a Cherokee by blood.

her
Nancy X Evans
mark

Witness. J. B. Lewis.

Subscribed and sworn to before me this 14 day of Sept, A. D., 1896.

J B Lewis
Notary Public.

My commission expires 14 day of June, 1897.

Original

AFFIDAVIT.

STATE OF ARKANSAS,
COUNTY OF Madison } ss

In the case of W. T. Hammonds, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me J. B. Lewis a Notary Public

, within and for the County of Madison, State of Arkansas, aforenamed, duly athorized to administer oaths Nancy Lane to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: that; my name is Nancy Lane my age is 70, my Post office address is Whitener Ark I am a by occupation; I am a citizen of Ark madison co and the affiant declares in relation to the above-named case as follows, towit: I am personally and well acquainted with W. T. Hammons who is a son of Stokley Hammons who is a son of Polly Hammons nee Vaughon who was a daughter of John Vaughon who was a dau of Fereby " nee Benton Who was the grond daughter of John Looney a cherokee by blood.

~~J. B. Lewis~~ Nancy X Lane
mark

Subscribed and sworn to before me this 1st day of Sept, A. D., 1896.

J. B. Lewis
Notary Public.

My commission expires 14 day of June, 1899.

Original

"APPLICATION FOR [illegible] CITIZENSHIP"

[illegible] COMMISSION Tahlequah Indian Territory.

[illegible] W. T. Hammonds your petitioner herein this his application for admission to citizenship in the Cherokee Nation as a Cherokee Indian by blood in accordance with all the laws, rules, regulations and laws of the Cherokee Nation and of record and respectfully submit the following statement of facts as the grounds of his claim to wit:

That he is the son of Stokley Hammons who was Granted some Polly Hammons nee Vaughan and the Grand son of Joshua Vaughan Great Great Grand son of Fowling Vaughan nee Benton who was a Granddaughter of John Downey who was a Cherokee Indian by blood and duly acknowledged member of the Cherokee Tribe of Indians and from whom he derived his Cherokee Indian blood entitling him to citizenship in the Cherokee Nation.

That the name of said ancestor should be found to appear on the census rolls which are made a part of the records filed in the years 1 26, 1240, 1851, and here, and that he is entitled to enrollment as such Cherokee.

That with the proof in support thereof will be submitted upon.

That the place of your petitioner is 46 years that his post-office address is Whitmer Ark. and that his family of Cherokee Indian blood consists of the following persons:

	Name.	Sex.	Age.	Relationship.
1	W. T. Hammonds	Male	46	Applicant
2	N E. Hammonds	Female	19	Daughter
3	A O. "	Male	17	Son
4	J A. "	Male	15	Son
5	Ella "	Female	13	Daughter
6	W A "	Male	11	Son
7	Ora "	Female	6	Daughter
8	Emma S. "	Female	4	Son.
9				

Witness whereof I have hereunto set my hand at Whitmer Ark on this the 1st day of Sept. 1900.

W. T Hammons

Ark on
A. . 190.
[illegible],
J. Lane
E F Morris

Subscribed and sworn to before me at Whitmer Ark this the 1 day of Sept. A. . 1900.

J B Ewers
Notary Public

[illegible] this 14 day of June 1909.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

5499

~~Ka 5-44~~ 5499

James H Hood
vs
Cherokee Nation

Filed Sept. 2-96
H. S. McKennon
Clerk

Ill
Rejected

P.O. address
Hood's Landing -
Texas -

State of Tennessee
County of Roane

This is to certify that the within affidavits of James W. Hood, applicant and John A. Barnard and Sarah A. Stokes and James Ambrose, witnesses to be a true and correct copies of the original under the seal and signature of W.D. Acuff, Notary Public and J.B. Durham J.P. as their official authority. This the 25th day of August 1896.

Isham Benefiel
Notary Public.

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee *Nation, Ind. Ter.:*

GENTLEMEN:—The undersigned, your petitioner, this day, makes this his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this his Application, to wit:

That he is the husband of ~~in the~~ Maggie B Hood who is the daughter of Nancy M Coker granddaughter of Lewis Ambrose and great grand daughter of one Peter Ambrose who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 24 years; Postoffice Woods Landing Texas

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship
1	James K Hood	Male	24	Applicant
2	Maggie B Hood	Female	19	Wife of applicant
3	Ellen A Hood	Female	1	Daughter of applicant

In witness of which Application, I hereunto set my hand, on this the 11 day of Dec 1894.

Witness H. A. Peterman

James K Hood

Subscribed and sworn to before me this 11 day of Dec A. D., 1894.

J S Buchanan JP

~~JOSEPH P. BYRNS, Attorney at Law.~~

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared John A Barnard who after being by me _____ duly sworn, states that he is 81 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with _____ Maggee B Hood Wife James W Hood who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents him self to be in his applicaton for citizenship in said Nation, and that the said James W Hood is the husband of Maggee B. Hood who is the daughter of Nancy M. Colyer, grand daughter of David Ambrose and great grand daughter of Filer Ambrose. And that he was well and intimately acquainted with them all but Filer Ambrose and he saw him several times and that they were all considered and acknowledged to be of Cherokee Indian blood and descent, by all of their neighbors and acquaintance. And the above named Filer Ambrose, is so known and considered to be a Cherokee Indian. Affiant further says I have seen many Cherokee Indians and Filer Ambrose was a fine specimen of his race

Affiant further states that he has known the said Maggee B. Hood for the past 19 years, and knows that she is and has beeen recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Maggie B Hood is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Maggie B Hood affiant states he has every reason to believe, and does believe, that the said Maggee B Hood is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James W Hood to citizenship in the Cherokee Nation, I. T.

John A. Barnard

Subscribed and sworn to before me this 17 day of December A. D., 1894, and I further certify that I am well acquainted with the said John A. Barnard and know him to be a person of credibility and of truth and veracity.

W. D. Scruff Notary Public.

My Commission expires on the 14th day of ~~June~~ April 1896

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane } Justice of the Peace

BEFORE ME, the undersigned, a ~~Notary Public~~, in and for the county and state aforesaid, personally appeared Sarah A Stokes who after being by me ____ duly sworn, states that she is 60 years of age, and is a citizen of Roane County and State of Tennessee and that she is personally acquainted with Maggie B. Hood wife of James M Hood who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person she represents Him self to be in his appliciaton for citizenship in said Nation, and that the said James M. Hood is the husband of Maggee B Hood who is the daughter of Nancy M. Colyer grand daughter of David Ambrose and great grand daughter of Filer Ambrose and that she was well and intimately acquainted with them all, and with the above named Filer Ambrose for about 22 years before his death, and she knows that he was known, recognized and acknowledged to be of Cherokee Indian blood and descent, by all of his neighbors and acquaintance and the said above named Filer Ambrose was known and considered to be a Cherokee Indian of full blood

Affiant further states that she has known the said Maggie B. Hood for the past 19 years, and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Maggie B. Hood is of Indian blood. That from the above facts and circumstances, and from statements made to her by the said Maggie B Hood affiant states she has every reason to believe, and does believe, that the said Maggie B Hood is of Cherokee Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of the said James M. Hood to citizenship in the Cherokee Nation, I. T.

Sarah A. Stokes

Hoods Landing Tenn

Subscribed and sworn to before me this 11th day of Dec. A. D., 1894, and I further certify that I am well acquainted with the said Sarah A. Stokes and know her to be a person of credibility and of truth and veracity.

J. B. Durham J. P.
~~Notary Public~~.

My Commission expires on the 3 day of Sept 1900

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane } Justice of the Peace

BEFORE ME, the undersigned, a ~~Notary Public~~, in and for the county and state aforesaid, personally appeared James Ambrose who after being by me ____ duly sworn, states that he is 66 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Maggie B Hood wife of James W. Hood who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his applicaton for citizenship in said Nation, and that the said Maggie B. Hood is the wife of James W. Hood and is the daughter of Nancy M. Colyer grand daughter of David Ambrose and great grand daughter of Filer Ambrose and that he was well and intimately acquainted with the said above named Filer Ambrose for about 25 years before his death. And he knows that he was known, recognized and acknowledged to be of full Indian blood and descent, by all of his neighbors and acquaintance and the said above named Filer Ambrose was known and considered to to be a Cherokee Indian of full blood

Affiant further states that he has known the said Maggie B Hood for the past 19 years, and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Maggie B Hood is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Maggie B Hood affiant states he has every reason to believe, and does believe, that the said Maggie B Hood is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said James W. Hood to citizenship in the Cherokee Nation, I. T.

James his + mark Ambrose
Hoods Landing Tenn

Subscribed and sworn to before me this 11th day of Dec. A. D., 1894, and I further certify that I am well acquainted with the said James Ambrose and know him to be a person of credibility and of truth and veracity.

J. S. Durham J. P. Notary Public.

My Commission expires on the 3 day of Sept 1897

End

5500

No 5500

Thos L. Cleavenbard
Et al
vs.
Cherokee Nation
"
Order of Appeal

4/431

263

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Thos L Clinkenbeard et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Thomas L. Clinkenbeard et al

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of Jan, 1897. A.D. 189....

J. Adair Clerk.

B/431
5500

Nation's No. 2381

Commission's No .....

In re Application of

R N Thorpe et al

Demurrer and Answer.

FILED, SEPT. 25 1890.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
R. A. Hagan
Nation's No. 2387
Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant [illegible] entitled to citizenship.

Respondent not waiving the aforesaid demurrer, but insisting upon the same for answer to said application, says that [illegible] through whom the petitioner claim to derive [illegible] right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Brandt Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the 21 day of Sept. 1896.

D. J. Dale
NOTARY PUBLIC.

End

Reg

REGISTRY RECEIPT.

Post Office at VINITA, IND. TER.

Registered Letter / Parcel } No. 204 Rec'd Sept 4. 1896

for Hon S. H. Mayes

Tahlequah I. T.

addressed to by Col R. J. Downing

D. A. Hayes P. M.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, R. C. DAY, do solemnly swear that on the ..... day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 204, hereto attached, is a receipt for said package, which contained true copies of the application of James Ball, Harmon Nelson, Harvey D Nelson and Martha Jane Vaughn

and of the affidavits of Jot D Booton, James Ball, W Ball et al Nathan Robinett, Henry Ball, Certificate of Clerks (3) Certificate of President of Court, John R Ghund, W. J Ball (2) Spencer A Buchanan (2) James Ball (2) Jot D Booton Certificate of Clerk Harvey D Wilson and Martha J Vaughn

in support of same. That affiant has no interest in this matter.

R. C. Day

Subscribed and sworn to before me this, the 4 day of September 1896.

Harvey E. Dougherty

Notary Public, My Commission expires May 11th, 1900.

No 870.

Original

James B
-et al-

Applicants for
Shoshone County

Robt J. Downey
Atty for Applicants

Rejected

POOR ORIGINAL -
BEST AVAILABLE COPY

26530-[illegible]

Muskogee, Oklahoma, October 17, 1910.

Mr. Henry J. Wilson,
R.F.D.#29, Box 56,
Holden, Missouri.

Sir:

I am in receipt of your letter of October 12, in further reference to your claim of right to be enrolled as a citizen of the Cherokee Nation. In the light of information given by you the records have again been examined and it is found that the application made by you and others for admission to citizenship in the Cherokee Nation under the provisions of the Act of June 10, 1896, was denied by the Commission to the Five Civilized Tribes and that no appeal from this decision was taken to the United States Court as provided for by said Act. No other application for enrollment under any subsequent Act of Congress appears to have been made by you [illegible], as you were heretofore advised, the rolls were closed on March 4, 1907, and can be reopened only under authority of an Act of Congress.

Respectfully,

WHDW(LS) Acting Commissioner.

COPY

R F D 29 Box 53

Holden, Mo Oct 12, 1910

Department of the interior
Commissioner of the Five Civilized Tribes,
Your letter of the Sept 27 acknowledged I was surprized to hear that my name was not on the roll
I will answer the questions, the Ancester. Mounts Recog-nized by the tribal authorities. I do not know never drawed any money, never lived in the Cherokee nation.
Since I received you letter I wrote the man that took my papers in to Venita His full name is Harvy D.Wilson (My Fathers Brother) I will enclose you the letter he wrote me, if you see there is no way we can get in other than Haveing the roll reopened, if you will advise me we will call on Congress at it next Session.
I am very greatfull to you & Hon A. F McClarr

Very Truly Yours

(Signed) Henry J. Wilson.

Oct 5 1910.

Genod W.V.A

Well Henry you want to Noe What was don with The Papers in our indian clame They was all Left on file with the Daws commishon at Venetta I Think Thar at washington D. C. or Where the daws commishon held There court We has a aturney i Think his name was Nowning he had all of The Wilson an ball Papers ready to go before The daws cort when i Left James ball was still there iff Ther is any thing That we can do Let us noe and we will see after it at once.

(signed) W.n.Wilson Genod W.V.A

-APPLICATION FOR ENROLLMENT-

To the Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S Mc KENNON, THOMAS B CABINISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by and act of Congress of June 4 th 1896, to hear and determine cases for Citizenship, in the Cherokee Nation:-

#:##:##:##:##:##:##:##:##:##:##:##

IN THE CASE OF JAMES BALL et al.

#:##:##:##:##:##:##:##:##:##:###:##

[redacted]:- Comes now Robt. J. Downing for and in behalf of the within named Petitionre's and Applicants, and states that he is the Attorney for each of the several Petitionre's whose names will hereinafter appear, together with their heirs and lineal descendants, to-wit:- James Ball marked "Exhibit A",-Harmon Wilson marked " Exhibit B",- [redacted] D. Wilson marked " Exhibit C",- and Martha Jane Vaughn "Exhibit D"

NAMES	AGES	RELATIONSHIP-
James Ball	76	Petitioner.
[redacted] Gordon	55	Daughter of Petitioner.
[redacted] Wacaser	48	" " "
[redacted] Ball	53	Son " "
[redacted] Ball	46	" " "
[redacted] Sharp	44	" " "
[redacted] Sawyer	41	" " "
[redacted] Ball		" " "
[redacted] Ball	29	" " "
[redacted] Ball	26	" " "
[redacted] Austin	26	Grand Daughter of Petitioner-
[redacted] Gordon	24	" Son " "
[redacted] Gordon	21	" " " " "
[redacted] Gordon	13	" " " " "
[redacted] Wacaser	26	" " " " "
[redacted] Wacaser	25	" " " " "
[redacted] Wacaser	21	" " " " "
[redacted] Wacaser	18	" " " " "
[redacted] Wacaser	16	" " " " "
[redacted] Wacaser	14	" " " " "
[redacted] Wacaser	12	" b " " "
[redacted] Wacaser	5	" " " " "
[redacted] Ball	26	" " " " "
[redacted] Ball	23	" " " " "
[redacted] Ball	20	" " " " "
[redacted] Lawrence	27	" " " " "
[redacted] Ball	24	" " " " "
[redacted] Ball	23	" " " " "
[redacted] Ball	16	" " " " "
[redacted] Ball	13	" " " " "
[redacted] Ball	6	" " " " "
[redacted] Sharp	23	" " " " "
[redacted] Sharp	16	" " " " "
[redacted] Sharp	12	" " " " "
[redacted] Street	23	" " " " "
[redacted] Taylor	20	" " " " "
	13	" " " " "

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Ruth M. Ball	10	Grandaughter of Petitioner-
Stella Ball	9	" " " "
Claud Ball	3	" son " "
Ellis E. Austin	6	Great grandaughter of petitioner.
[redacted] Wilson	52	Petitioner.
J[redacted] Wilson	30	Son of Petitioner.
Henry J. Wilson	24 years	" " "
Allen W.C. Wilson	21	" " "
Harrison Benton Wilson	26	" " "
[redacted] Wilson	48	Petitioner.
[redacted] Wilson	25	Son of Petitioner.
Nevada J. Wilson	23	Daughter " "
[redacted] Mahler	18	" " "
[redacted] Taylor Wilson	15	Son " "
[redacted] Wilson	12	" " "
[redacted] Pierce Thompson	8	Grandson " "
Martha J. Vaughn	48	Petitioner.
[redacted] D. Vaughn	23	Son o of Petitioner.
[redacted] Vaughn	21	Daughter " "
Nancy Ellen Vaughn	15	" " "
[redacted] Peterbor Vaughn	4	Son " "

[redacted] in the prosecution of their claim for enroll ment upon the revised roll of the Cherokee tribe of Indians to be prepared and po fected by your Honorable Commission, appointed under and by virtue of [redacted] act of Congress approved June 4 th A.D. 1896; and that each alla [redacted] of said pe itioners and applicants, herein and heretofore mentioned are Cherokee Indians by blood as he verily beleives, and [redacted] their Cherokee Indian blood, from the same stock or Common an- [redacted].

That said petitioners and applicants, and each of them menti- [redacted] are related the one to the other in either the lineal or collater- [redacted] degree;- being descendants of the same stock- and in lineal or col[redacted] degree spring from the same Stipes or Trunk;-and I herewith, in support of said petitions and applications as aforesaid submit the [redacted] hereto attached, to-wit:-

Affidavits of James Ball marked "Exhibit 1";-Job D. Booton [redacted] "Exhibit 2";- W.T.Ball et al marked " Exhibit 3";- Nathan [redacted] marked "Exhibit 4";-Henry Ball marked " Exhibit 5 ";- Certific [redacted] of Clerk marked "Exhibit 6";- Certificate of Clerk marked "Exhibit [redacted] Certificate of Pesident of Court marked "Exhibit 8";- Certif- [redacted] of Clerk marked " Exhibit 9 ";- Affidavit of John R. Gourd marked

[redacted];- W.T.Ball marked "Exhibit 11";- Spencer Rutherford

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[illegible];- W.T.Ball "Exhibit 13";- Spencer Rutherford marked [illegible] ";- James Ball marked "Exhibit 15";- Job D. Booten marked [illegible];-Certificate of Clerk marked Exhibit 17";-James Ball [illegible] "Exhibit 18";- Harvey D. Wilson marked "Exhibit 19";- Martha [illegible] marked "Exhibit 20";-

[illegible] reference to as a part hereof , the different rolls of h [illegible] tribe of Indians, and especially that of A.D. 1835 Compild [illegible] State of North Carolina, which your petitioner believes will [illegible] the name of Sarah Mounce and David Mounce (sometimes spelled [illegible]), an ancestor of those for whom this application is made.

Therefore your petitioner for the reasons heretofore [illegible] would most respectfully pray that your Honorable Commission, [illegible] joinder of all the said petitions hereto attached as one petition and action;- as well also as that of the said applicants, [illegible] heirs of their bodies begotten, be placed upon the revised [illegible] of the Cherokee tribe of Indians, and those entitled to share in [illegible] distribution of funds and in the allotment of lands in the [illegible] Nation, by virtue of their Cherokee blood.

Robt J Downing

Subscribed and sworn to before me this day b 14 day of September 1896

N. L. Mayfield

Notary Public.

My commission expires [illegible]

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— Original —

In the Matter of the Claim of James Ball of Cherokee I dian Citizen- [redacted] the Honorable Dawes Commission, at Vinita, Cherokee [redacted] Indian Territory. "Exhibit A"

[redacted]

United States of America,
Northern Judicial District. - ss-
Indian Territory.

Affidavit - Petition and ~~Application~~ of James Ball.

On this the 3rd day of August A.D. 1896, personally appeared before me the undersigned A Notary Public, duly authorized to [redacted] oaths, for and in the Northern Judicial District of the Indian Territory, James Ball, to me well and personally known and whom I [redacted] to be credible and respectable, who being by me first duly [redacted] according to law, deposes and says:- That I was born in the County of Cabell and state of Virginia, (now Wayne County West Virginia), on the 15th day of September A.D. 1820, and am 76 years of age.

Affiant further states that he is a Cherokee Indian by blood and the legitimate son of the body begotten of Sarah Ball (nee Wilson) who was born in the Cherokee reservation east of the Mississippi River, in the year A.D. 1794 or thereabouts to one Robert Ball, and that the said Sarah Ball (nee Wilson) was a regularly accredited and acknowledged Cherokee Indian.

Affiant further states that the said Sarah Ball (nee Wilson) was the legitimate daughter of the body begotten of old Sarah Wilson (nee Mounce) (your petitioners grandparents), that the said Sarah Mounce was married to one James Wilson, and that the issue of the marriage of the said Sarah Mounce and James Wilson were 13 children, that the said Sarah Ball (nee Wilson) petitioners mother being one of the said children.

Affiant further states that the said Sarah Mounce (nee Wilson) petitioners grandmother was a sister by blood of old David Mounce who

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was a regularly accredited acknowledged and enrolled Cherokee Indian.

Affiant further states that the said Sarah Wilson (petitioners mother) married one Robert Ball in Cabell County and State of Virginia, (now Wayne County West Virginia), and that of issue of the marriage of the said Sarah Wilson and Robert Ball there have been born six (6) children, one of the said children being James Ball ,(your petitioner).

Affiant further states that on the 3rd day of April A.D. 1840 he was legally married to one Virginia Walker, and that there have been born as issue of his body begotten the following children and heirs whose names and ages appear in the table following to-wit:-

Children by the marriage of petitioner, James Ball and Virginia Walker.	(1) Francis A. Gordon (nee Ball) aged 55 Married A.D. 1869. Four (4) children. (6)	(1) Etta M. Austin (nee Gordon) age 26 Married 1888 One (1) child. (2) William J Gordon (24 John J. Gordon (21) Chas. E. Gordon (13)	(1) Elsie M. Austin, Aged 6.
	(2) Cynthia Wagner 48 ~~Henry Ball 58~~ years Married 1869. Eight (8) children	George W. Wacaser (2[illegible]) Herbert Wacaser (25) Bertha Wacaser (21) Florence Wacaser (18 Laura Wacaser (16) Lena Wacaser (14) Mildred Wacaser(12) Gertrude Wacaser (5)	

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[illegible]	Henry Ball age 53 married 1868 Therr Children	Cecil C Ball (26) Ethel Ball (23) Ollie Ball(20)	
[illegible]	Jamerson Ball (46) 1 st marriage 1869 2 nd marriage 1871 Four Children	Ida Layermore (27) (nee Ball) married ------ Lottie Ball (24) Harrison Ball (23) Clara Ball (16) Gertrude Ball (12) Cleveland Ball (6)	
[illegible]	Jane Thorp (44) (nee Ball) Married 1868. Three Children.	Fanny Thorp.(23) Maggie Thorp (16) Earl Thorp (12)	
[illegible]	Virginia Haynor (4[illegible]) (nee Ball) 1 st Marriage 1872 Divorced 1878. Two children 1st husbands name -----Street, 1879 2 nd marriage. husbands name E.R.Haynor. 1 child.	Ollie Street (23) Ruby Street (20) Maggie Haynor (13)	
[illegible]	William H. Ball Married 1883. Children three (3)	Ruth H. Ball (12) Stella Ball (9) Claud Ball (3)	
[illegible]	Charles W. Ball(39) Married 1887. Four Children	Effie A. Ball (10) Pearl W. Ball (8) John Henry Ball (6) Ball (1/	
[illegible]	Allie A. Ball (26) Married 1889. One Child.	Carl Ball (5)	

[illegible] further states that in the fact that his name does not now appear upon the accredited and authenticated roll of the Cherokee tribe of Indians, is not due to any laches or negligence or due diligence on his part, because he has repeatedly engaged and employed

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Cherokee attorneys to prosecute his said Claim before the Cherokee Council and the Committee of Indian Citizenship, among them being one Jefferson Mc Gee and John Beck, who was arrested imprisoned and died in the Penetentiary for Obtaining money under false pretense in Citizenship cases, and that he has paid them retainer fees in the premises, that he has made proper application and affidavits and petitions as required by the Cherokee Laws, and that his said Claim is now on file in the Executive Department of the Cherokee Nation at Tahlequah, but that the said Cherokee Council has wholly failed , neglected and refused to pass upon the merits of his said claim.

Wherefore your petitioner would most respectfully and imporatively pray that he and the heirs of his body begotten be placed upon the revised roll of the Cherokee Indians and those entitled to share in the distribution of funds and in the allotment of lands in the Cherokee Nation by virtue of their Cherokee blood.

James Ball

Subscribed and sworn to before me this 3 day of August A.D. 1896.

J A Madison
Notary Public

My Com. Exp. June 3, 1899.

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— Original —

In the Matter of the Claim of Harmon Wilson for Cherokee Indian Citizenship, before the Honorable Dawes Commission at Vinita, Cherokee Nation.

"Exhibit B"

###

State of Missouri, | -ss- Petition and affidavit of Harmon Wilson.
Newton County. |

On this the 7 day of August A.D. 1896, personally appeared before me the undersigned a County Clerk Notary Public duly authorized to administer oaths for and in the County of Newton and state of Missouri, Harmon Wilson, to me well known and whom I certify to be credible and respectable , who being by me first duly sworn according to the law deposes and says, that I was born in the County of Cabell and state of Virginia (now Wayne County and state of West Virginia) on the 18 th day of February A.D. 1844 and is 52 years of age.

Affiant further states that he is a Cherokee Indian by blood and the legitimate son of the body begotten of one Allen wilson who was a Cherokee Indian by blood and was born on the Cherokee Indian reservation east of the MississippiRiver.

Affiant further states that his said father Allen Wilson was the legitimate son of the body begotten of one Sarah Wilson (nee Mounce) (or sometimes spelled Mounge) a regularly known accredited and acknowledged Cherokee Indian by blood who was born on the Potomac river in the County of Frederick and state of Maryland in the year A.D. 1780, that the said Sarah Mounce (petitioners grandmother) was married to one James Wilson in Frederick County and state of Maryland in the year A.D. 1794, that there was as issue of the said marriage of said grandparents thirteen (13) children, the youngest of the said children being one Allen Wilsen aforesaid, your petitioners father, who was born in the County of Cabell and State of Virginia,

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[illegible] County West Virginia) on the 15 th day of February A.D. 1820 [illegible] Petitioners fatherwas married to one Jane Rutherford in the [illegible] year A.D. 1838 in Cabell County and state of Virginia (now Wayne County West Virginia) and that there was issue of the said marriage the following children now living whose named and ages are as follows to-wi William Wilson ages 56 years, Emeline Wilson aged 54 years, Harmon Wilson aged 52 years (your petitioner), Sarah Wilson aged 50 years Harvey D. Wilson aged 48 years, Rebecca Wilson aged 46 years, Hiram and Jackson Wilson aged 43 years, the last two named being twins.

Affiant further states that on the 19- day of June in the year A.D. 1862 he was legally married to one Mary Furguson in the County of Lawrence and the state of Kentucky, that there have been born and are still living six (6) children as issue of the said marriage whose names and ages are as follows to-wit:-

James H. Wilson aged 30 years, Marcus Burton Wilson aged 26 years, Henry J. Wilson aged 24 years, Allen M.C.Wilson aged 21 years, [illegible] Wilson aged 14 years and Lizzie Wilson aged 11 years.

Affiant further states that from the earliest recollection of his parents and grandparents, they were known recognized and acknowledg Cherokee Indins by blood and that your affiant has always been known [illegible] as a Cherokee Indian since his birth by all persons in the community in which he lived and with whom he associated.

Wherefore your petitioner would most respectfully anf importunately pray that he and the heirs of his body begotten be placed upon the revised roll of the Cherokee tribe of Indians and those entitled to share in the distribution of funds and in the allotment of the lands in the Cherokee Nation by virtue of their Cherokee blood. And your petitioner in aid of his Claim to Cherokee Indian [illegible] would most respectfully refer your Honorable body to the authenticated records and rolls of the Cherokee tribe of Indians here-

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[illegible], upon which will be should appear the names od David and Sarah Mounce to which mention is heretofore made, as well as the original affidavits as to the identito of the said Sarah Mounce and the facts tending to show her Cherokee Blood now on file in the office of the Dawes Commission and made a part of the evidence in support of the Claim of James Ball which proof is in the form of original affidavits, copies of which are uereto attached and to which reference is made.

Harmon Wilson

Subscribed and sworn to before me this 7 day of August A.D. 1896.

J. Bascom
Clerk County Court.

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Original

In the matter of the Claim of Harvey D. Wilson, for Cherokee Indian Citizenship, before the Dawes Commission, at Vinita, Cherokee Nation, Indian Territory.

"Exhibit C"

United States of America
Northern Judicial District
Indian Territory.
} ss-

Petition and application of Harvey D. Wilson.

On this the 21 st day of July A.D. 1896, personally appeared before me a Notary Public, duly athhorized to administr oaths, for and in the Northern Judicial District of the Indian Territory, Harvey D. Wilson, whose Post Office is Berwick in the County of Newton and State of Missouri, to me well and personally known, and whom I certify to be credible and respectable, who being by me first duly sworn according to the law, deposes and says:-That he was born in the County of Wayne and state of Virginia (now West Virginia) on the 6th day of March A.D., 1846, and is 48 years of age.

Petitioner states that he is a Cherokee Indian by blood, being the legitimate son of the body begotten of one Allen Wilson.

Petitioner further states that his said father, Allen Wilson was the legitimate son of the body begotten of Sarah Wilson (nee Mounge) (or sometimes spelled Mounge), a regularly known, accredited and acknowledged Cherokee Indian by blood, who was born on the Potomac River, in the County of Frederick and the state of Maryland in the year A.D. 1780, that the said Sarah Mounce, petitioners grandmother, was married to one James Wilson ~~in Cabell County and State of Virginia, (now Wayne County West Virginia)~~ in Frederick County Maryland in the year A.D. 1794, that there was as issue of the marriage of the said

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[illegible] and James Wilson, Petitioners Grandparents thirteen (13) children, the youngest of said chilldren being one Allen Wilson who was born in the County of Cabbell and State of Virginia, (now Wayne County West Virginia on the 15 th day of January A.D. 1820. Petitioner further states that the said Allen Wilson (affiants father) was married to one Jane Rutherford in the year A.D. 1838 in Cabbell County and State of Virginia(now Wayne County West Virginia) that there was issue of the marriage of the said Jane Rutherford and Allen Wilson the following children to-wit:- William Wilson aged 56 years Caroline Wilson aged 54 years, Harman Wilson aged 52 years, Sarah Wilson aged 50 years, Harvey D. Wilson aged 48 years (your affiant) Rebecca Wilson aged 46 years, Hiram Wilson and Jackson Wilson aged 43 years, the last two mentioned being twind,

Affiant further states that in the year A.D. 1866, on the 9th day of January, he was legally married to one Malissa Furguson, that the issue of the marriage of the above named parties there are five (5) children now living whose names and ages are as follows to-wit:- Wilbur Wilson aged 25 years, , Martha J. Wilson aged 23 years, Minnie Mahler (nee Wilson) aged 18 years, Zacariah Taylor Wilson aged 16 years, Tenie Wilson aged 12 years.

Affiant further states that his daughter Elva Thompson (nee Wilson) born in the year 1867 and died in the year 1891, leaving one son as the legitimate offspring of her body begotten named Henry Pierce Thompson aged 8 years, who is the grandson of your affiant, and entitled to be enrolled as a Cherokee Indian upon the revised roll of the Cherokee Indians.

Affiant further states that fro m the earliest recollection of his parents and grandparents, they were known recognised accredited and acknowledged to be Cherokee Indians by blood and that your affiant

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also has been known and called a Cherokee Indian since his
all persons in the community in which he lived and with
he associated.

Wherefore your petitioner would most respectfully and im-
gray that he and the heirs of his body begotten be placed
revised roll of the Cherokee Indians and those entitled to
the distribution of funds and in the allotment of lands of
Cherokee Nation by virtue of their Cherokee Blood.

Your petitioner in aid of his Claim tonCherokee Citizenship
the right to be enrolled upon the revised roll of the Cherokee
would most respectfully refer your Honorable body to the
records and rolls of the Cherokee tribe of Indians here-
taken, upon which will or should appear the names of David and
Mounce heretofore mentioned, as well also to the original
to the identity of the said Sarah Mounce and the facts
to show her Cherokee blood, now on file in the office of the
Commission and made a part of the evidence in support of the Clai
of Jones Ball, which said proof is in the form of original affidavits
copies of which are hereby attached and to which reference is made.

Harley D. Wilson

Subscribed and sworn to before me this 31 st day of July A.D. 1896.

Robt L. McClure
U. S. Comm'r. Northern Dist.
Ind. Ter.

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[redacted] OF AMERICA
[redacted] TERRITORY,
[redacted] DISTRICT.

ss. "Exhibit D"

I, Martha J. VAUGHAN, being first duly sworn on oath [redacted] say, my name is MarthaJ. Vaughn, I am the wife of [redacted] and I reside with my husband and children, in the [redacted], about twelve miles from Vinita, I.T. , Vinita I.T. being my Post Office. I am 48 years of age and am a Cherokee [redacted] by blood.

I am the legitimate daughter of George W. Ball and Elender Ball My father the said Geo. W. Ball is a full brother of James Ball whose application for Cherokee Citizenship and enrollment is herewith attached. My father the said George W. Ball and his brother James Ball [redacted] sons of Robert and Sarah Ball. My Grandmother, the said Sarah Ball I understand was the daughter of James Wilson and Sarah [redacted] and that the said Sarah Wilson's maiden name was Sarah Mounce and she the said Sarah Mounce I am informed was a recognized Cherokee [redacted] by blood and enjoyed all the rights, privileges and benefits of a member of the Cherokee tribe or nation of Indians.

I have always claimed to be a Cherokee Indian by blood and I [redacted] never connected myself with any other tribe or nation or in any manner to my knowledge forfeited my rights to Cherokee Indian citizenship. I have never received any allotment or other consideration for my right or interest in and to the Cherokee Nation, nor have I in any manner violated any of the treaties or intercourse laws, existing between the Cherokee Nation and the General Government of the United States.

[redacted] on or about the year 1869 I was married to my present husband Whitsey T. Vaughan and that my said husband and I have had born to us in lawful wedlock and are now living with us, the children and ages are as follows to-wit:

[redacted] Vaughan a son, age about 23 years,
[redacted] Vaughan, a girl, age about 21 years,
[redacted] Vaughan a girl, age about 15 years.

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[redacted] Fletcher Vaughan, a son, aged about 4 years./—

[redacted] that the Post Office of said children is Ada, I. T. That my [redacted] Ball visited a great deal at the home of [redacted] I was married and I know they considered each other [redacted] I have heard my paternal Grandmother speak, that my [redacted] my said uncle James Ball, were full brothers and were her [redacted]

Martha J Vaughan

Subscribed and sworn to before me this 29" day of August

W J Stanfield

Notary Public. My Commission Expires September 17th, 1939.

Exhibit "Q"

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In the matter of the Claim of Harmon Wilson for Cherokee Indian Citizenship, before the dawes Commission at Vinita, Cherokee Nation, Indian Territory.

"Exhibit 1."

United States of America,
Northern Judicial District | ss- Affidavit of James Ball.
Indian Territory.

On this the 3 day of August A.D.1896, personally appeared before me theundersigned a Notary Public duly authorized to administer oaths for and in the Northern Judicial District of the Indian Territory James Ball, to me well and personally known and whom I certify to be credible and respectable, who being by mr first duly sworn according to law depodes and says that he was born in the year A.D. 1820 and is 76 years of age.

Affiant further states that he is well and intimately acquainted with the petitioner Harman Wilson, and knows that he is a Cherokee Indian by blood, and the legitimate son of the body begotten of Allen Wilson (a Cherokee Indian by blood) who was the legitimate son of the body begotten of Sarah Mounce a regularly known accredited and acknowledged Cherokee Indian Who was born on the Potomac River in the County of Frederick and state of Maryland in the year A.D. 1780 that the petitioners grandmother the said Sarah Mounce was married to one James Wilson, in Frederick County Maryland in the year A.D. 1794 and that there was as issue of the marriage of the said Sarah Wilson (nee Mounce and James Wilson (your petitioners grandparents) thirteen (13) children , the youngest of the said children being one Allen Wilson (your petitioners father, who wasborn in the County of Cabell and state of Virginia (now Wayne County West Virginia) on the 15th day of January A.D. 1820

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Affiant further states that the said Allen Wilson (your petitioners father) was married in the year A.D. 1838 in Cabell County and State of Virginia (now Wayne County state of West Virginia), that there was issue of the marriage of the said Allen Wilson and Jane Rutherford the following children whose names and ages are as follows to-wit:- William Wilson aged 56 years, Emeline Wilson aged 54 years, Sarah Wilson aged 50 years, Harman Wilson (your petitioner) aged 48 years, Harvey D. Wilson aged 46 years Hiram and Jackson Wilson aged 43 years, the last two being twins.

Affiant further sates that on the---- day of June A.D. 1862 Harman Wilson and Mary Furguson were legally married and that there were born as issur of the said marriage the following children whose names and ages are as follows to-wit:- James H.Wilson aged 30 years, Harman B. Wilson aged 26 years, Henry J. Wilson aged 24 years, Allen M. Crismond Wilson aged 21 years, Emma Wilson aged 14 years, and Minnie Wilson aged 11 years.

Affiant further states that the said Harmon Wilson is a Cherokee Indian by blood and entitled to be placed upon the revised roll of the Cherokee Indians and those entitled to share in the distribution of funds and in the allotment of lands in the Cherokee Indian Indian Territory , by virtue of their Cherokee blood.

James Ball

Sworn and subscribed before me this 9 day of August A.D. 1896.

J A Madison
Notary Public

My Com. Exp. June 3, 1899

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United States of America,
Northern Judicial District -ss-
Indian Territory.

"Exhibit B"

On this the 26 th day of ugust A.D. 1896, personally appeared before me the undersigned a Notary Public, duly authorized to administer oaths, for and in the Northern Judicial District of the Indian Territory, Job D. Booton, of Cherokee Nation, Indian Territory, to me well known and whom I certify ~~the~~ to be credible and respectable, who being by me first duly sworn according to law deposes and says, that he is 52 years of age.

Affiant states that he was well acquainted with one Allen Wilson, in the county of Wayne and state of West Virginia, from the year ~~1852~~ 1852 until the date of his death in the year in the year A.D. 1861, and that the said Allen Wilson was the father of Harvey D. Wilson and Harmon Wilson, applicants for admission to Cherokee Indian Citizenship, before the Honorable Dawes Commission, that I am well and intimately acquainted with the said Harvey D. Wilson and Harmon Wilson aforesaid and have been since the date of their birth, and know that they are the legitimate children of the said Allen Wilson.

Affiant further states that the said Allen Wilson and his sons aforementioned are known to me to be Cherokee Indians by blood and were so known recognized and treated by everyone in the community in which they lived and with whom they associated in the county of Wayne and state of West Virginia. Job. D. Booton

Sworn to and subscribed before me this the 26 th day of August A.D 1896

W. L. Stansbill
Notary Public

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Wit Wright Finley Thompson

Sworn to and subscribed before me
on this the 14th day of October
1889

S.T. Crabtree justice

A Co Master

~~"Exhibit B"~~

"Exhibit 3"

State of Nebraska }
County of Wayne } ss On this day personally
Came Before me A.D. Crabtree a justice of the peace
in and for said County afore said
the following named persons to wit:
W. T. Ball and Lewis Bartram vs.
Eby Trent Dismby Thomson
Who after Being Duely Sworn by me
as the Law directs States that they
Knew Mr James Ball to Be the Lawful
Son of the old Lady Sarah Moore
who was a cherokee By Blood and
was Recongized as Cherokee
I. W. T. Ball setify from the records of the
family Bibles of James Wilson & sarah his wife
and Robert Ball and Sarah his wife. that
James Ball was the grandson of James
Wilson and Sarah Wilson nee Moore.
I. Lewis Bartram a. from part circumstan-
ciers and good reasons believe the state
made by W. T. Ball to be correct.
Mr. Eby Trent says upon oath that he was acquain
ted with the said moore family and it was generaly under
stood that he was related to the indians

Sworn to and Subscribed Before
Me on this the 16th Day of October 1889
A. D. Crabtree Justice

Finley Thompson

I am acquainted With James Ball that
Was Bornd on milcreak West Virginia
he was the gran son of Sarah [illegible]
Wilson haes maden name was Said
to be Sarah maunce he was said to
be part Indian I Reside wayne co
West Virgny Fy. inley Thompsan

Sworn to and Subscribed Before me
on This the 14 th Day of October
1889

S. T. Crabtree pastice

A 16 Mahlon

A 16

J. H. Beck
Vinita
I. T.

Affidavit
of
Robert

J. H. Beck
Vinie
'99

State of West Virginia
Wayne County, to wit:
I, Caroline Robinett, one
of the Justices of the
Peace in and for said
County, do certify that
Robert Robinett
personally appeared
before me in my said
County and made oath
to the truth of the
facts set forth in the
foregoing affidavit.
Given under my hand
this 9th day of June
1899.
J. H. Beck

Exhibit 4

State of West Virginia
Wayne County to wit.

Personally appeared before me the
Undersigned Justice in and for the
County aforesaid Sallie Robinett
of the said County and Sallie Robinett
she is a widow of Wm David Mounce
and he was he was well acquainted
with the said Mounce & also Sarah Mounce
who had married James Wilson Mr
Robinett who being Sworn by his
Sayeth that Sarah Wilson whose maiden
name was Mounce was a Cherokee by
blood he also States that they were
Owned and raised in the Potomack River

Sallie her X mark Robinett

Subscribed and Sworn to before
me this the 9th day of April 1890
J. M. Johnson Justice

State of West Virginia
Wayne County to Wit
Personally appeared before me the
under signed Justice in and for the
County afore said Henry Ball of the said
County upon oath States that in October
1889 he met with an old Cherokee indian
By the Name of William miller and
had a long talk with him and he told
him that he was acquainted with the said
Mounce families that were inferior to

an Mr miller said that he wi Sarah
Wilson whose Maiden name was Mounce
Was a Cherokee indian. By Blood an
never was Recognized as any thing else
a mong their people an that the said Sarah
Mounce was borne in the Cherokee Reservation
an after maring James Wilson them
With some four or five other familys
Wandred off in to Logan County near Va
Where a part of their offspring Remains
until yet this mr miller had been out
in the west an was on his return home
to North Carolina where him an his
people had a Reservation there of 40 miles
square Wich Was called Cherokee County
he told him that he had a Brother in the
Cherokee nation if he mistake not some
Where near Telequea Henry Ball

Subscribed and Sworned to
before me This 9th April the 9th 1880
R M Johnson Justice

Ex Exhibit "[redacted]"

State of West Virginia
Wood County to wit

Sworn and subscribed before me
Nathan Robinett
the undersigned Justice of the
County aforesaid and upon oath
Says

J. H. Buck
Virginia
v.
Nathan Robinett
Replevin

Certificate
of
Chapman
Jur

State of West Virginia
Wayne County clerk's office } 55
I Chapman Fry clerk
of the Court Court within and for
the County and State aforesaid do certify
that R M Johnson is a Justice
of the Peace in and for the County
and State aforesaid duly Elected
and Qualified as appears of Record
in my office. Given under my
hand and official
seal this 16th day of
April 1890
Chapman Fry clerk
Wayne county Court

"Exhibit 6"

Certificate
of
Chapman
Jenkins

"Exhibit A"

State of West Virginia }
Wayne County clerks Office } SS

I Chapman Fry clerk of the County Court within and for the County and State aforesaid do certify that Solomon Thrailkill is a Justice of the Peace in and for the County and State aforesaid duly Elected and qualified as appears of Record in my Office his Term of Office Commenced on the 1st day of January 1889 and will expire on the 31st day of Dec 1892.

Given under my hand and official seal this 4th day of Nov 1889

Chapman Fry clerk
Wayne County Court

"Exhibit B"

State of West Virginia
Wayne County to wit

I Chapman Adkins President of the County Court of Wayne County do certify that Chapman Fry is the Clerk of the County Court of Wayne County Wva and as such is the Custodian of the Records of said Court and that the above is his Signature. Given under my hand this 4th day of Nov 1889

Chapman Adkins
President Wayne County Court

"Exhibit No. 15"

State of West Virginia
Wayne County Clerk's Office } ss

I Chapman Fry Clerk of the County Court within and for the County and State aforesaid do, certify that Chapman Adkins is the Resident of the County Court of Wayne County as appears of Record in my office and that the above is his Signature Given under my hand and official seal this 4th day of Nov 1889

Chapman Fry clerk
Wayne County Court

Copy of
Original
Affidavit
of
Jno R Gourd
of
Table Knoll
District

November The 19 — 1891

Tahlequah District
Cherokee Nation

Personaly appeard Before Me (Thomas Triplett) Clerk in and for Tahlequah District One Jno. R (his mark) Gourd who Makes The Following — Statement Now a Cherokee Indian by Blood and a Resident of this District Cherokee Nation I am 73 years Old and I was acquainted with A Great many of The Eastern Band of Cherokee Indians & among Them was One James Willson and sarah willson his wife (whose Maiden name was sarah Mooney) Who was also a Recognized Cherokee Indian by Blood and they lived Near Creektown Georgia I also knew The Marriage in Georgia They was Cherokee Indians by Blood to The Best of My knowledge / James Willson Married sarah Mooney and They left Georgia and went in to The Western part of Virginia which is Now knowing as West Va— I knew No Other willsons in That part of The county except Those of the Cherokee Blood

John. R. his + Gourd mark

Subscribed To Before R M Bannerburg Deputy Clerk of Tahlequah District

November The 20th 1891

"Exhibit 10"

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the Claim of Harvey D. Wilson for Cherokee Indian Citizenship, before the Dawes Commission at Vinita, Cherokee Nation, Indian Territory.

State of West Virginia
County of Wayne } -ss- Affidavit of W.T. Ball.

W.T. Ball of lawful age being duly sworn upon his atth depose and says that he is well acquainted with Harvey D. Wilson, that he is the legitimate son of the body begotten of Allen Wilson, and that the said Allen Wilson is the legitimate son of the body begotten of Sarah Mounce, (your petitioners grandmother).

Affiant further states that the said Sarah Mounce (petitioners grandmother), Allen Wilson (petitioners father) and Harvey D. Wilson, (your petitioner) are said to be Cherokee Indians by blood and that I have well and personally known them since the date of my births and have heard them called Cherokee Indians by blood, and that they are recognized and known as Cherokee Indians by blood by some of the old People who knew them in the community in which they lived prior to the year A.D. 1893.

W T Ball

Sworn and subscribed before me this 7 day of August A.D. 1896.

L E Ball
Notary Public

"Exhibit B"

In the matter of the Claim of Harvey D. Wilson for Cherokee Indian citizenship, before the Dawes Commission at Vinita, Cherokee Nation Indian Territory.

State of West Virginia
County of Wayne } -ss Affidavit Spencer Rutherford.

W. Spencer Rutherford of lawful age being duly sworn according to law deposes and says that he is well acquainted with Harvey D. Wilson, and that he is the legitimate son of the body begotten of Allen Wilson, and that the said Allen Wilson, is the legitimate son of the body begotten of Sarah Mounce (your petitioners grandmother)

Affiant further states that the said Sarah Mounce(petitioners grandmother) Allen Wilson, (petitioners father) and Harvey D. Wilson (said to be your petitioner) are Cherokee Indians by blood, and that I have well and personally known them since the date of my birth, and have always heard them called Cherokee Indians, and that they are recognized (some of the old people who knew them) as Cherokee Indians by blood by everyone in the Community in which they lived in West Virginia prior to the year A.D. 1893.

Notary to mark Chapman Adkins } his Spencer Rutherford mark

Sworn and subscribed before me this 27 day of August A.D. 1896.
and I further certify that the words 'always' & 'everyone' were erased and the interlineations 'said to be' and 'some of the old people who knew them' were made before the same was executed.
Given under my hand and Notarial seal.

Chapman Adkins

Notary Public Wayne Co.,W.Va.

"Exhibit 12"

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the Claim of Harmon Wilson for Cherokee Indian [illegible]ship, before the Dawes Commission, at Vinita Cherokee Nation [illegible] Territory.

[illegible]st Virginia,)
[illegible]ty) -ss- Affidavit of W.F.Ball

W.F.Ball of lawful age being duly swern upon his oath deposes [illegible] he is well acquainted with Harmon Wilson, that he is the [illegible] son of the body begotten of Allen Wilson andthat the [illegible] Allen Wilson was a legitimate son of the body begotten of [illegible] (your petitioners grandmother)

Affiant further states that the said Sarah Mounce (petitioners grandmother) Allen Wilson(petitioners father) and Harmon Wilson your petitioner are, Cherokee Indians by blood, and I have well and personally know them since the date of their births and have heard them called Cherokee Indains byblood, and that they are recognized as Cherokee Indians by Some of the old People who Know them in the Community as Cherokee Indians by blood.

W. F. Ball

Subscribed and sworn to before me this 7 day of August A.D.1902,

L. E. Ball
Notary Public

"Exhibit 13"

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the Claim of Harmon Wilson for Cherokee Indian Citizenship, before the Dawes Commission at Vinita Cherokee Nation Territory.

State of West Virginia
County of Wayne } -ss- Affidavit of Spencer Rutherford.

Personally appeared before me Spencer Rutherfordof lawful age and being duly sworn deposes and says that he is well acquainted with Harmon Wilson and knows that he is the legitimate son of Al len Wilson, and that the said Allen Wilson was the legitimate son of Sarah Mounce(petitioners grandmother).

Affiant further states that the said Sarah Mounce (petitioner grandmother) Allen Wilson (petitioners father) and Harmon Wilson (your petitioner) are said to be Cherokee Indians by blood, and that I have well and personally known them since the date of my birth, anf have always heard them called Cherokee Indians, and that they are recognized and known as Cherokee Indians by blood by Some of the old people who Knew them everyone in the Community in which they lived prior to the year A.D. 1893.

Witness to mark
Chapman Ad Kins } Spencer X Rutherford
mark

Sworn and subscribed to before me this 27th day of August A.D. 1896. and I further certify that the words 'always' & 'everyone' were erased and the interlineations 'said to be' and 'some of the old people who knew them' were made before the same was executed. Given under my hand and Notarial seal.

Chapman Ad Kins
Notary Public, Wayne Co. W.Va

"Exhibit P.4"

POOR ORIGINAL -
BEST AVAILABLE COPY

In the matter of the claim of Harvey D. Wilson for Cherokee Indian Citizenship before the Hon. Dawes Commission at Vinita Cherokee [illegible], Indian Territory. "Exhibit 15"

###_###_###_###_###_###_###_###

United States of America,
the following Judicial District | -ss- Affidavit of James Ball.
[illegible] Indian Territory.

This the 3 day of August A.D. 1896. personally appeared before me the undersigned a Notary Public duly authorized to administer oaths in and for the Northern Judicial District of the Indian Territory, James Ball, to me well and personally known and whom I certify to be credible and respectable who being by me first duly sworn according to the law deposes and says that he was born in the year A.D. 1820 and am 76 yeays of age.

Affiant further states that he is well and intimately acquainted with the petitioner Harvey D. Wilson, and know that he is a Cherokee Indian by blood and the legitimate son of the body begotten of Allen Wilson (a Cherokee Indian by blood) who was the legitimate son of the body begotten of Sarah Mounce a regularly known accredited and acknowledged Cherokee Indian, who was born on the Potomoc River in the County of Frederick and State of Maryland in the year A.D. 1780 that the petitioners grandmother the said Sarah Mounce was married to one James Wilson, in Frederick County Maryland in the year A.D. 1796 that there was as issue of the marriage of the said Sarah Wilson (nee Mounce) and James Wilson (your petitioners grandparents) thirteen children the youngest of said children being one Allen Wilson (your petitioners father) who was born in the County of Cabell and State of Virginia, (now Wayne County West Virginia) on the 15 th day of January A.D. 1820.

POOR ORIGINAL -
BEST AVAILABLE COPY

Affiant further states that the said Allen Wilson (your petitioners father) was married in the year A.D. 1838 in Cabell County State of Virginia (now Wayne County West Virginia) that there was issue of the marriage of the said Allen Wilson and Jane Rutherford the following children whose names and ages are as follows to-wit:- Harmon Wilson aged 54 years, Emeline Wilson aged 52 years, Sarah [illegible] years, Harvey D. Wilson (your petitioner) aged48 years, [illegible] aged 46 years, Miram and Jackson Wilson aged 43 years the last two named being twins.

Affiant further sates that on the 7 th day of January A.D. 1850 Harvey Wilson your petitioner married one Millissa Furguson of the County of Cabell and State of Virginia (now Wayne County West Virginia), and there have been born as issue of the marriage of the said Harvey D. Wilson and Malissa Furguson the following children whose names and ages are as follows to-wit:- Wilbur Wilson aged 25, Huron J. Wilson aged 23 years, Vircue Eshler (nee Wilson) aged 18 years Jeremiah Taylor Wilson aged 15 years aged 15 years, Tennie Wilson aged 22 years.

Affiant further sates that he knows the said Harvey D. Wilson and he is a Cherokee Indian by blood and entitled to be placed upon the Dawes roll of the Cherokee Tribe of Indians and those entitled to share in the distribution of funds and in the allotment of lands in the Cherokee Nation, Indian Territory by virtue of their Cherokee blood

James G Ball

Subscribed and sworn to before me this 9 day of AUgust A.D. 1896.

J A Mashburn
Notary Public

My Com. Exp. June 3, 1899.

POOR ORIGINAL -
BEST AVAILABLE COPY

"Exhibit 16"

United States of Aerica, :
Northern Judicial District :-ss-
Indian Territory. :

On this the 26 th day of August A.D. 1896, personally appeared before me the undersigned a Notary Public, duly authorized to administer oaths, for and in the Northern Judicial District of the Indian Territory, Job D. Boston, of Cherokee Nation, Indian Territory, to me well known and whom I certify the to be credible and respectable, who being by me first duly sworn according to law deposes and says, that he is 58 years of age.

Affiant states that he was well acquanited with one Allen Wilson, in the county of Wayne and state of West Virginia, from the year 1850 until the date of his death in the year in the year A.D. 1861 1864, and that the said Allen Wilson was the father of Harvey D. Wilson and Harmon Wilson, applicants for admission to Cherokee Indian Citizenship, before the Honorable Dawes Commission, that I am well and intimately acquainted with the said Harvey D. Wilson and Harmon Wilson aforesaid and have been since the dtate of their birth, and that they are the legitimate children of the said Allen Wilson.

Affiant further states that the said Allen Wilson and his [illegible] all known as and to be Cherokee Indians by blood and were as such recognized and treated by everyone in the community in which they lived and with whom they associated in the county of [illegible] state of West Virginia.

Jot. D. Boston

Sworn to and subscribed before me this the 26 th day of August A.D 1896

W. L. Stanfield
Notary Public, My Commission Expires
September

POOR ORIGINAL -
BEST AVAILABLE COPY

CERTIFICATE OF OFFICIAL CHARACTER.

State of Missouri, County of Taney, ss:

I, J. W. HUGHES, Clerk of the County Court of the County and State aforesaid, do hereby certify that Wm T. Jernigan is a Justice of the Peace duly elected, that his commission was dated on the 5th day of May 1900, and that his signature within written is of the proper handwriting of the said Justice.

GIVEN UNDER MY HAND and the seal of said Court this 28th day of August 1900.

J. W. Hughes
County Clerk

By _____ Deputy.

Exhibit "A"

POOR ORIGINAL -
BEST AVAILABLE COPY

[redacted] STATES OF AMERICA,)
[redacted] TERRITORY, : -:ss:-
[redacted] DISTRICT.)

---------oooooooo-------

I, James Ball being first duly sworn on oath depose and say that
my name is James Ball, I am about 75 years of age and my postoffice
is [redacted] County, Missouri. That I am the same James Ball
who has [redacted] application to the Dawes Commission for Cherokee Citi-
zenship and enrollment. That I am acquainted with Martha Jane Vaughan
who I understand is making application for Citizenship and enrollment
in the Cherokee Nation, her maiden name was Martha Jane Ball and she is
a daughter of George W. Ball., the said George W. Ball being my full brother
and consequently the said Martha Jane Vaughan is my Niece. My said
brother George W. Ball and myself are children of Robert Ball and his
wife Sarah Ball and our said mother Sarah Ball before her marriage to
[redacted] was named Sarah Wilson and she was the daughter of James
Wilson and Sarah Wilson and she the said Sarah Wilson the grand mother
of my brother George W. Ball and myself was named before her marriage
to the said James Wilson Sarah Mounce and she the said Sarah Mounce I
understand was a Cherokee Indian by blood and was recognized and enroll-
ed as such and enjoyed all of the privileges, benefits and immunities
of a member of the Cherokee tribe of Indians.

witness
W.W Jernigan Jr. James Ball
Virginia Ann Ball

Subscribed and sworn to before me this the 28 day of Aug. A.D. 1896.

W.W Jernigan
Justice of the Peace

Exhibit "18"

POOR ORIGINAL -
BEST AVAILABLE COPY

[redacted] STATES OF AMERICA,)
[redacted] TERRITORY, : -:ss:-
[redacted] DISTRICT.)

--------oooooOooooo----,---

I, Harvey D. Wilson being first duly sworn on oath depose and say
[redacted]
[redacted] Wilson, I am about 48 years of age and my postoffic[redacted]
[redacted], Missouri. I am acquainted with Martha Jane
[redacted]
[redacted] with her ever since childhood, She was
[redacted]
[redacted] about the year 1869 to Lindsey T. Vaughan and she the said
[redacted] resides with her husband and children in the Cher-
[redacted] about 12 miles from the town of Vanita. Vinita Ind. Ter.,
[redacted] her post office. Martha Jane Vaughan's maiden name was Martha
W.
[redacted] Ball and she is a daughter of George Ball, the said George W.
[redacted]
[redacted] being a brother of James Ball who has on file with this Commission
[redacted]
an application for Cherokee Citizenship and enrollment. She the said
[redacted]
[redacted] being the same person who on behalf of herself and
[redacted]
[redacted] makes the application for Cherokee Citizenship and enroll-
[redacted]
[redacted]

Harvey D. Wilson

[redacted] and sworn to before me this the 26th day of August, A.D.1896.

Harry E. Dow-Caulk,
Notary Public, My Commission Expires May 11th, 1900.

[redacted] Exhibit "19"

POOR ORIGINAL -
BEST AVAILABLE COPY

APPLICATION FOR ENROLLMENT.

"Exhibit 20"

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4th, 1896 to hear and determine Claims for Citizenship in the Cherokee Nation.

Gentlemen: The undersigned, your petitioner, _____ Martha Jane Vaughan or and on behalf of her self and her children Harriford D. Vaughan, Annie A. Vaughan, Nancy Ellen Vaughan and Herman Fletcher Vaughan, and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in the Cherokee Nation by virtue of their Cherokee blood, and herewith submit the evidence annexed hereto, to-wit:- Affidavits marked Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, A1, B1, C1, D1, E1, F1, G1, H1, I1, J1, K1, L1, M1, N1, O1, P1, Q1, R1, S1, T1, U1, V1, W1, X1, Y1, Z1, A2, B2, C2, D2, E2, F2, G2, H2, I2, J2, K2, L2, M2, N2, O2, P2, Q2, R2, S2, T2, U2, W2, X2, Y2, Z2, A3, B3, C3, D3, E3, F3, G3, H3, I3, J3, K3, L3, M3, N3, O3, P3, Q3, R3, S3, T3, U3, V3, W3, X3, Y3, Z3, A4, B4, C4, D4, E4, F4, G4, H4, I4, J4, K4, L4, M4, N4, O4, P4, Q4, R4, S4, T4, U4, V4, W4, X4, Y4, Z4, A5, B5, C5, D5, E5, F5, G5, H5, I5, J5, K5, L5, M5, N5, O5, P5, Q5, R5, S5, T5, U5, V5,

All of which is respectfully submitted,

Subscribed and sworn to before me this the 29 day of December
A. D. 1898.

Notary Public. My Commission Expires May 11th. 1900.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

5502

3421

Alexander Jaines

vs

Cherokee Nation

FILED SEPT. 8. 1896 ☆

A. S. McKENNON

CLK

Rejected

P.O. Address

Muscogee Creek Nation

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of Cherokee *Nation, Ind. Ter.:*

GENTLEMEN: — The undersigned, your petitioner, this day makes this his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the grounds of this his Application, to wit:

That he is the Son of Betsy Goens and grand Son of one Jeremiah Rev who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood and respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 55 years; Postoffice Harrisonan Tennessee

Family, with their relationship attached, is as follows:

NO.	NAME.	SEX.	AGE.	RELATIONSHIP.
1	Alexander Goens	Male	55	Applicant
2	Nancy E Goens	Female	51	Wife of applicant
3	Josephen Browne	Female	18	Daughter of applicant
4	William L Goens	Male	17	Son of applicant
5	Parlee Cimbron	Female	15	Daughter of applicant
6	Thomas Goens	Male	12	Son of applicants
7	Solomon Goens	Male	10	Son of applicant

In witness of which Application, I hereunto set my hand, on this, the 6th day of December 1904

Alexander his + mark Goens.

Subscribed and sworn to before me this 6th day of December A. D., 1904

Isham Bentley

JOSEPH P. BYERS, Attorney at Law.

Notary Public.

POOR ORIGINAL -
BEST AVAILABLE COPY

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Roane }

BEFORE ME, the undersigned a Notary Public, in and for the county and state aforesaid, personally appeared Jasen Sheats who, after being by me duly sworn, states that he is 42 years of age, and is a citizen of Roane County and State of Tennesee and that he is personally acquainted with Alexander Goens, who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Alexander Goens is the [redacted] of Elizabeth Goens, with whom he is well acquainted and has been for 25 years or more and he knows that the said Elizabeth Goens above named was recognized and acknowledged to be of Cherokee Indian blood and descent by all of her neighbors and acquaintances and was known as a Cherokee Indian of one quarter blood

Affiant further states that he has known the said applicant Alexander Goens for the past 40 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Alexander Goens, indicate that ~~the said Alexander Goens,~~ is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Alexander Goens affiant states he has every reason to believe, and does believe, that the said Alexander Goens is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Alexander Goens to citizenship in the Cherokee Nation, I. T.

Jasen his mark Sheat

Subscribed and sworn to before me this 6th day of December A. D., 1894

and I further certify that I am well acquainted with the said Jasen Sheat and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commision expires on the 12th day of June 1896

~~JOSEPH P. BYERS, Attorney at Law.~~

POOR ORIGINAL -
BEST AVAILABLE COPY

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Roane }

BEFORE ME, the undersigned a Notary Public, in and for the county and state aforesaid, personally appeared Thomas Bazell who, after being by me duly sworn, states that he is 33 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Alexander Gains who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Alexander Gains is the [illegible] of Nancy Elizabeth Gaines, with whom he was [illegible] for about seven years and lived with her for three years, and he knows that the said Elizabeth Gains above named, was recognized and acknowledged to be of Cherokee Indian blood and descent by all of her neighbors and acquaintances and was known as a Cherokee Indian of one quarter blood

Affiant further states that he has known the said applicant Alexander Gains for the past 15 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Alexander Gains indicate that the said Alexander Gains is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Alexander Gains affiant states he has every reason to believe, and does believe, that the said Alexander Gains is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Alexander Gains to citizenship in the Cherokee Nation, I. T.

Thomas his mark Bazell

Subscribed and sworn to before me this 6 day of December A. D., 1904

and I further certify that I am well acquainted with the said Thomas Bazell and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of Jan. 1905

JOSEPH P. BYERS, Attorney at Law.

POOR ORIGINAL -
BEST AVAILABLE COPY

3422

5502

Alexander Gaines

vs

Cherokee Nation

FILED SEPT. 8
A. S. McKENNON
COMR.

Filed 4th. 10. 1876.
W. M. Jaccoway
Clk

Petition

Harrison Jen

POOR ORIGINAL -
BEST AVAILABLE COPY

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Cherokee Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfullly makes the following statement of the ground of his Application, to wit:

That he is the husband is the of Sally Bagale now Sally Goins who is the daughter of Daniel Bagell sen. and grand daughter of one Elizabeth Bagell who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application to be admitted to all the rights of Cherokee citizens in the Cherokee Nation in lands and funds.

And he respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 30 years; Postoffice Harriman Tennessee

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship.
1	George Goins	Male	30	Applicant
2	Sally Goins	Female	25	Wife of Applicant
3	Bertie Goins	Female	8	Daughter of Applicant
4	Willard Goins	Male	6	Son " "
5	Edward Goins	Male	3	" " " "

In witness of which Application, I hereunto set my hand on this the 21st day of August 1896

his
George X mark Goins

Subscribed and sworn to before me this 21st day of August A. D., 1896

Joshua Penfield

Notary Public

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Cherokee Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ____ his ____ Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfullly makes the following statement of the ground of ____ his ____ Application, to wit:

That ____ he is the husband ____ is the ____ of Sally Bagale ____ a native Cherokee who is the daughter of Daniel Bagale Sen and grand daughter of one Eyiller Buell ____ who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this ____ his ____ Application for Cherokee Citizenship by blood, and respectfully asks you Honorable Councilors that ____ he ____ be admitted to all the rights of Cherokee citizens in the Cherokee Nation in lands and funds.

And ____ he ____ respectfully waits the time when ____ his ____ Application shall be truly heard and tried. Respectfully submitted.

Age ____ 30 ____ years; Postoffice ____ Harriman Tennessee ____

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship.
1	George Jones	Male	30	Applicant
2	Lilla Jones	Female	28	wife of Applicant
3	Ruth Jones	Female	8	Daughter of Applicant
4	William Jones	Male	6	Son " "
5	Edward Jones	Male	3	" " " "

In witness of which Application, I hereunto set my hand on this the 31st day of August 189 6

his
George X Jones
mark

Subscribed and sworn to before me this 31st day of August A. D., 189 6

Richard Benfield
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Bledsoe }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared John Bullard who after being by me ____ duly sworn, states that he is 75 years of age, and is a citizen of Bledsoe County and State of Tennessee and that he is personally acquainted with George Goins who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in this applicaton for citizenship in said Nation, and that the said George Goins is the husband of Sally Bazell nee Sally Goins who is the daughter of Daniel Bazell sen and granddaughter of Elizabeth Bazell, whom he knew for many years before her death, and he knows that the above named Elizabeth Bazell was known, recognized and acknowledged to be of Cherokee Indian blood and associated by all of her friends, neighbors and acquaintance and the public generally and was known as a Cherokee Indian of full blood.

Affiant further states that he has known the said Sally Goins for the past 25 years, and knows that she is and has beeen recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Sally Goins is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Sally Goins affiant states he has every reason to believe, and does believe, that the said Sally Goins is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said George Goins to citizenship in the Cherokee Nation, I. T.

John his + mark Bullard

Subscribed and sworn to before me this 29th day of August A. D., 1896, and I further certify that I am well acquainted with the said Affiant and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of January 1899

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Nancy Lucas who after being by me ____ duly sworn, states that she is 76 years of age, and is a citizen of Roane County and State of Tennessee and that she is personally acquainted with George Gains

who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in this applicaton for citizenship in said Nation, and that the said George Gains is the husband of Sally Bazzell who is the daughter of Samuel Bazzell Sen and grand daughter of Elizabeth Bazzell with whom she was well and intimately acquainted for more than 30 years before her death, and the said Elizabeth Bazzell was recognized and acknowledged to be a Cherokee Indian by blood and descent, by all of her friends, neighbors and acquaintance and was known as a Cherokee Indian of full blood. affiant further says I am the first child of Elizabeth and Samuel Bazzell and aunt to Sally Gains. I have known her from her birth to the present time. I was more than 30 years old old when my mother died and near forty when my father died. I well remember when the treaty was made between the government and the Indians and when the soldiers gathered up the Cherokees and took them west of the Mississippi river. There were no other Indians at that time in Tennessee but the Cherokees. The Creek Indians had been moved south some time before this. My mother was a full blood Cherokee my father was a mixed blood Cherokee. My mothers maiden name was Elizabeth Scott, and the soldiers took my two uncles Alford and John Scott and my three aunts Sally Scott and my two married aunts Polly Ortley and Ginny Jackson all of which were my mothers brothers and sisters and great uncles and aunts of Sally Gains and their decendants our cousins are in the Indian Territory with you. Word comes to us that our names and that of our parents are not on the Cherokee Indian rolls if they are not they ought to be as we are Cherokees

FRAME 1

[illegible] and aunt to
[illegible] known her from her birth to
[illegible] time was over 30 years old
old then my self I be 62 and near forty when my
father died I well remember when the treaty was
made [illegible] the government and the Indians and
[illegible] the soldiers gathered up the [illegible] chees and
[illegible] st of the Mississippi river there were
[illegible] Indians at that time in Tennessee but
the [illegible] the Creek Indians had been
moved south some time [illegible] the other
was a full blood Cherokee my father was a
mixed blood Cherokee. My mothers maiden name
was Polly Scott, and the soldiers took my
two uncles Alford and John Scott and my
three aunts Sally Scott and my two married
aunts Polly Waterlizard and Ginna Lowhead
all of which were my mothers brothers and
sisters and great uncles and aunts of Sally
Brown and their decendants our cousins are in
the Indian Territory with you. Word comes
to us that our names and that of our parents
are not on the Cherokee Indian rolls if they
are not they ought to be as we are Cherokees.
And neither our parents or their children
have ever received one dollar of Cherokee
Indian bounty money or one dollar of money
for their share of the Tennessee land nor any
of their grand children. Just why our father
Samuel Bazell and his family were left behind
I do not know but they were left behind and their
children and grand children are living in the
same place that they were living when the
[illegible]
And we have always been known and recognized
as Cherokee Indians. My brother Daniel Bazell own
place is known and called Bazell town and
the settlement is often refered to as the Bazell
tribe

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FRAME 2

Affiant further states that she has known the said Sally Goins
for the past 28 years, and knows that she is and has been recognized and treated by her
neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the com-
plextion and physical appearance of the said Sally Goins is of Indian blood. That from
the above facts and circumstances, and from statements made to her by the said Sally Goins
affiant states she has every reason to believe, and does believe, that the said Sally Goins
is of Cherokee Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of
the said George Goins to citizenship in the Cherokee Nation, I. T.

her
Nancy + Lucas
mark

Subscribed and sworn to before me this 14th day of August A. D., 1896, and I further
certify that I am well acquainted with the said Nancy Lucas and know her to be a
person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of January 1899

End

M 5503.

R. N. Hagan Et al
vs.
Cherokee Nation

Order of Appeal

6-431

261

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of R N Hagan et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

R. N. Hagan et ala.

to be enrolled as citizens of the Cherokee Nation, from said Commission

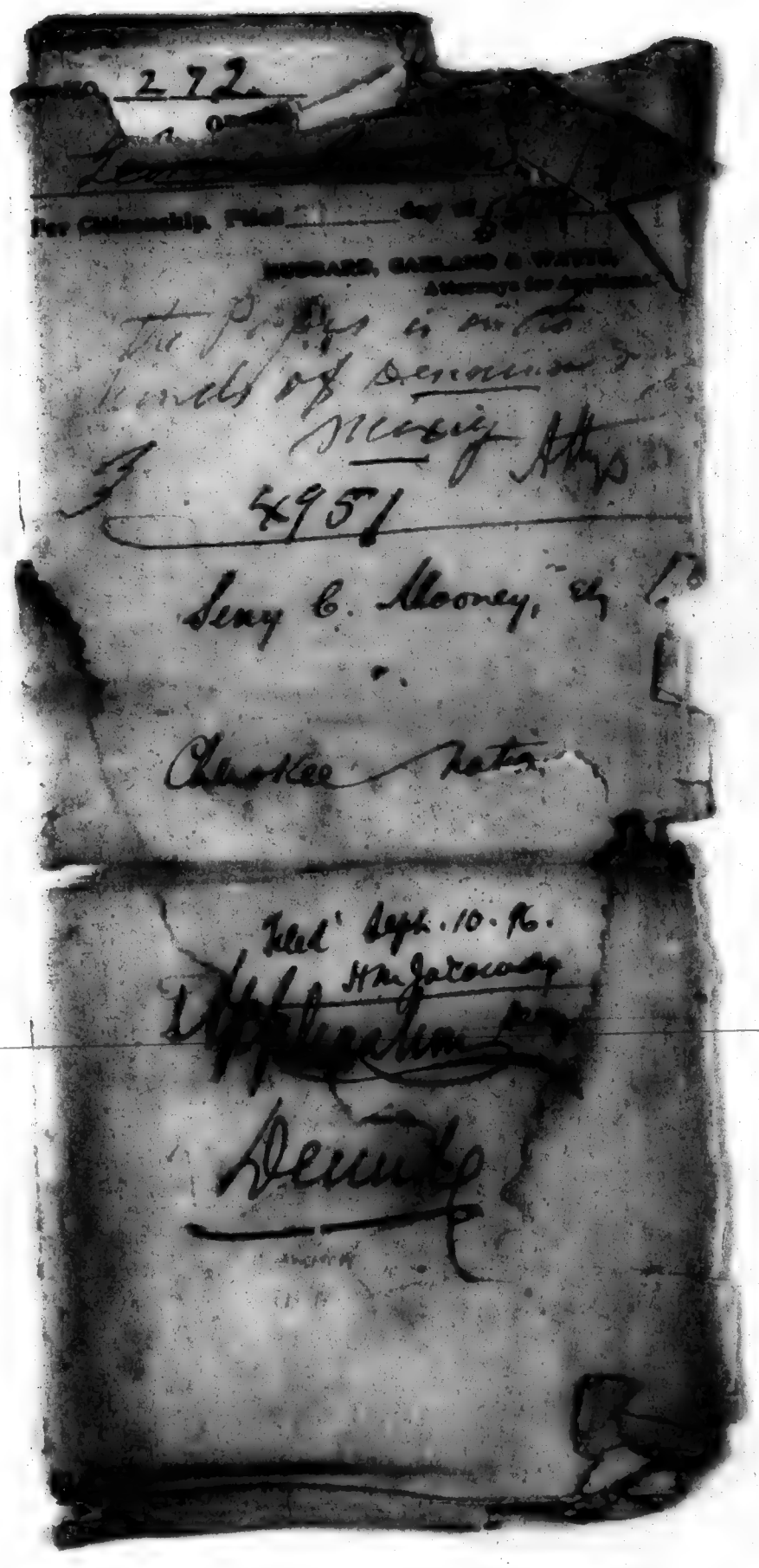
to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of Jan 1897. A.D. 189.

Jas Dickinson Clerk.

End

55504


2772
Lem
Per Citizenship. Filed ____ day of
HUBBARD, GARLAND & WATTS
Attorneys for Applicant
the Pet[illegible] in [illegible]
Lands of Dem[illegible]
[illegible] Mooney Atty
4951
Jerry C. Mooney, Cl
Cherokee Nation
Filed Sept. 10. 96.
Wm Jatcomb
Application
Denied

POOR ORIGINAL -
BEST AVAILABLE COPY

Nation's No. 3013

Commission's No .....

In re Application of

Jno and Chas. Browne - et al.

Demurrer and Answer.

FILED OCT. 21,
H M JACOWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of ..... Nation's No. .....

Geo and Chas Devore et al ..... Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Joseph Watts through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES. Principal Chief Cherokee Nation.

By Hastings, Hutchings & Bandinot ..... Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct. 1896.

D. J. Bull

NOTARY PUBLIC.

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Jerry C. Mooney would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in St. Francis County, State of Ark on 1st day of 1844. My fathers name was Zachariah Downs My mothers name was Drucilla Downs That I now reside in Canadian District Cherokee Nation Ind T and have resided there for 20 years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and h name be placed upon the proper roll as a citizen of such Nation.

Signature Jerry C Mooney by Isaac Mooney his lawful Representative

INDIAN TERRITORY,
Northern Judicial Division } SS

NOW on this 8th day of August 1896 personally appeared before me [redacted] F Isaac Mooney Notary Public in and for said Territory who certify to the above on my official oath that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 8th day of August 1896.

Isaac Mooney
Notary Public.
Northern District
Ind Ter

No

PETITION OF

Missouri E Bryan

for and on behalf of

her self

and heirs

Hubbard Garland
& Watts

Attorney C for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner Missouri E Bryan nee Mooney for and on behalf of her self and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavit

in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully submitted

Missouri E. Bryan

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
Missouri E Bryan	30	Daughter of Sony C Mooney who
Allen T Bryan her husband	36	was a Daughter of Zacherah
Jennie Bryan	8	Downs
Ollie Bryan	6	a Cherokee by Blood
Richard O Bryan	3	

In witness of which I hereunto set my hand on this 5th day of September 1896.

Missouri E. Bryan

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Missouri E. Bryan nee Money would state and show from the proof submitted to the Commission that she is a Cherokee by decent and by blood having been born in Texas County, State of Smith on 1 day of Oct 1866. My fathers name was Isaac Money My mothers name was Lucy E Money That I now reside in Canadian District Choctaw Nation I. T. and have resided there for 20 years. And I he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And I he further avers that these facts being proved I he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore I she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing I she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature Missouri E Bryan

INDIAN TERRITORY,
Northern Judicial Division } SS

NOW on this 1st day of August 1896 personally appeared before me Isaac Money a Notary Public in and for said Territory Missouri E Bryan who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 1st day of August 1896.

Isaac Money Notary Public.
Northern District I. T.

No _____

PETITION OF

Lieut Kittyammaker

for and on behalf of

herself

and heirs

Husband, Garland

and Watts.

Attorney for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALDXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner Lieu Kittyann Harper as Attorney for and on behalf of her self and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavit of

in support of said claim, and respectfully await the time when their application shall be heard and tried.

Respectfully Submitted.

Lieu Kittyann Harper

Enrollment of family, with relationship attached, as follows: Born June 1. 97.

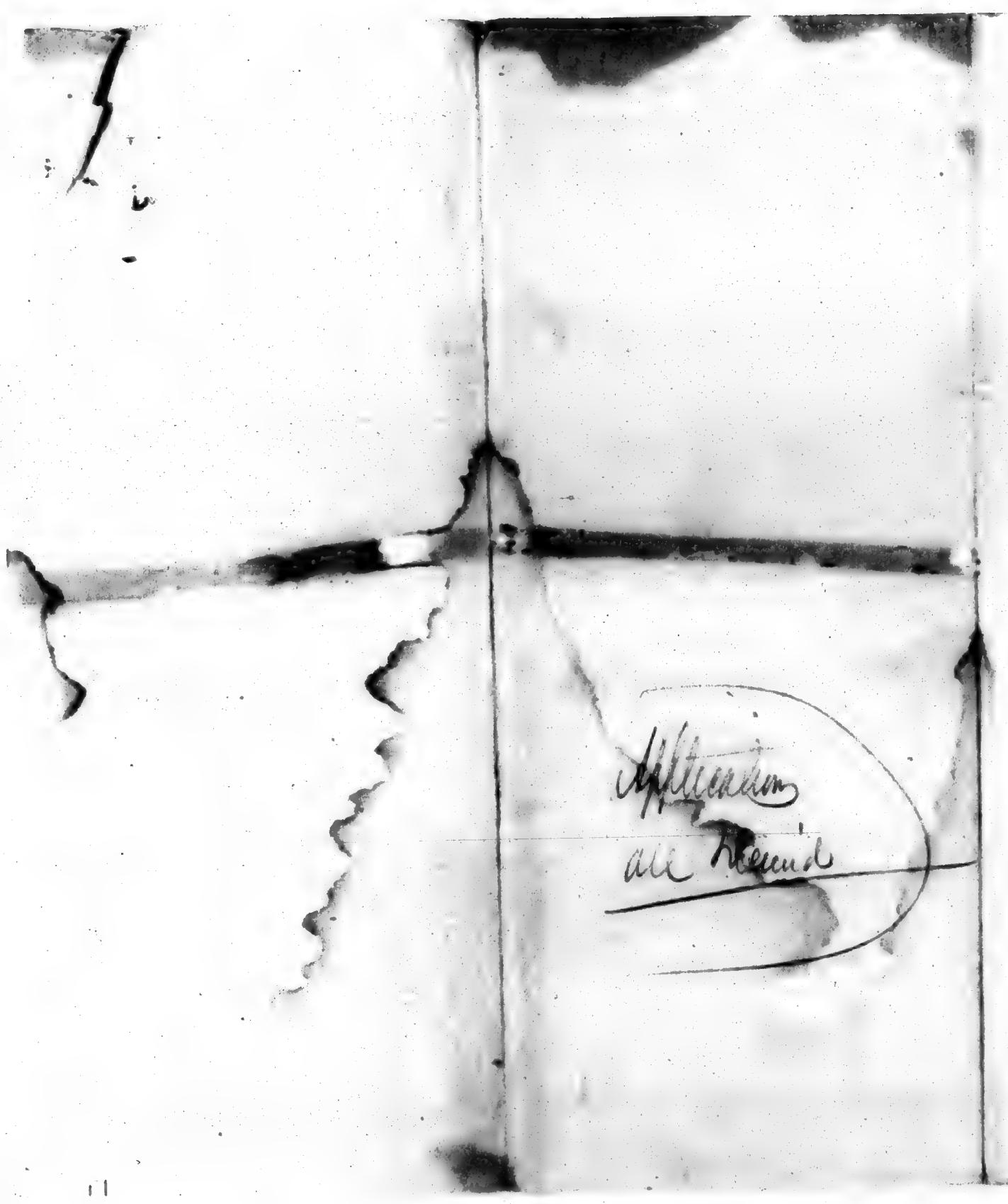
NAMES.	AGE.	RELATIONSHIP.
Lieu Kittyann Harper	21	Daughter of Atty & Attorney
Rhinaldo Z. Harper her husband	46	who is a Daughter
Isaac Harper	13	of Zachariah Downs
Mary J. Harper	11	a Cherokee by Blood
Homer Z. Harper	8	
Killis C. Harper	6	
Estella Zulinna Harper	3	
Joseph L. Harper	1	

In witness of which I hereunto set my hand on this 8th day of August 1896

Lieu Kittyann Harper

Rhinaldo Z. Harper her husband

7



To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Lieu Kitty Ann Harper would state and show from the proof submitted to the Commission that she is a Cherokee by decent and by blood having been born in Texas County, State of Smith on 4th day of July 1864. My fathers name was Isaac Mooney My mothers name was Jerry Clementine That I now reside in Canadian District Cherokee Nation and have resided there for 20 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature Lieu Kitty Ann Harper

INDIAN TERRITORY,
Northern ~~Southern~~ Division } SS -

NOW on this 8th day of August ~~July~~ 1896 personally appeared before me Isaac Mooney a Notary Public in and for said Territory Lieu Kitty Ann Harper who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 8th day of [illegible] 1896.

Isaac Mooney
Notary Public.
Northern District
Ind Ter

POOR ORIGINAL -
BEST AVAILABLE COPY

No

PETITION OF

Jenny C attorney

for and on behalf of

her self

and heirs

Hubbard, Garland & Watts

Attorneys for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation :*

GENTLEMEN : The undersigned, your petitioner, Sary C Mooney nee Downs for and on behalf of her self and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavit

in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully submitted

Sary C Mooney

Enrollment of family, with relationship attached, as follows: Isaac Mooney her husband as representative

NAMES	AGE	RELATIONSHIP
Sary C Mooney	52	Daughter Zachariah Downs who was a Cherokee by Blood
Isaac Mooney her husband	62	
Lieu Kitty ann Mooney Children	21	
Missouri E Mooney	20	
Charles Mooney	28	
Joseph Mooney	26	
Richard Mooney	24	

In witness of which I hereunto set my hand on this 5th day of August 1896.

Sary C Mooney
by Isaac Mooney her husband

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS.

ISAAC MOONEY,ET AL.

PETITION IN THE MATTER OF CHEROKEE CITIZENSHIP.

TO THE HONORABLE:THE SECRETARY OF DEPARTMENT OF THE INTERIOR.

The undersigned,Isaac Mooney,would most respectfully represent and show that prior to February,1st.,1873,he was married to Cenia Clementine Downs or Downing,a Cherokee Indian by blood and the full sister of Caroline Downs or Downing,who intermarried with George A.Crane,the said Cenia and Caroline both being the daughters of Zack Downs or downing,a Cherokee Indian by blood.

That of the said marriage of the said petitioner and said Cenia,there were born,Lee Katy Ann,Missouri Emmet,Charles,Joseph and Richard,who are all living,and the said Lee Katy Ann has intermarried with R.Z.Harper and they have Five children,namely, Isaac,Mary,Homer,Willis and Luella,and the said Missouri Emmet has intermarried with A.D.Bryan and they have three children, namely,Johnnie,Ollie and Richard,all of the said children and grandchildren being residents of the Cherokee Nation in the Indian Territory.

That the same evidence which was used upon the part and behalf of George A.Crane and family for their admission to citizenship and license to intermarry under the Cherokee laws,was used and submitted to the Supreme Court of the Cherokee Nation upon the application of the petitioner in behalf of himself and

POOR ORIGINAL -
BEST AVAILABLE COPY

family and A.M.Downing and family and the said petitioner received from W.H.Turner,Clerk of the Supreme Court of the Cherokee Nation,a certificate dated February,1st.,1873,a copy of which is hereto attached,marked exhibit 'A',the original being held subject to the inspection or order of the Department.

That upon the receipt of the said certificate,petitioner with his wife and their children,moved into the Cherokee Nation and his wife resided there up to the time of her death,about one year after their arrival in the Nation and himself and all their children have resided in the said Nation ever since their first arrival,and the grandchildren,ever since their birth.

That he asks in behalf of his children and of his grandchildren,that the petition of the said George A.Crane in behalf of himself and family,which was forwarded to the Department of the Interior through the office of Denison and Maxey,of Muskogee, March,14th.,1894,and the exhibits attached thereto,may be taken and considered as a part of this,his petition in behalf of his children and grandchildren and respectfully asks that some suitable and proper order may be made,directing an inquiry into his case and that he may have an opportunity of furnishing the proofs as to the rights of his children and grandchildren to citizenship in the said Cherokee Nation,which rights are now denied them by said Nation.

Petitioner further represents that at the time Inspector Duncan from the Department of the Interior was making an investigation of the cases in the Indian Territory during the year 1893, he received word,but not directly from the Inspector and not

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officially,that he was making such inquiry and the petitioner's case was one which could be heard before him and immediately upon receiving such word,petitioner started from home to the railroad for the purpose of presenting his claim to the said Inspector but there were papers relating to the claim of the Crane family and petitioner's family,in the office of the Indian Agent at the Union Agency and before he could procure these and reach the Inspector,he received information that the said Inspector had closed his investigations and this,petitioners offers as his reason for not having placed the proofs before the said Inspector.

WHEREFORE,he respectfully asks that a hearing may be accorded him in behalf of the said children and grandchildren,by the United States Government in such mode and manner as it shall deem proper,and as will ever pray.

_____

United States of America ()
Indian Territory () ss.
First Judicial Division/ ()

Isaac Mooney of lawful age,being first duly sworn,says that he is the person who signed the above and foregoing petition,that he knows the contents thereof and that the statements therein contained,are true as he verily believes.

_____

Subscribed and sworn to before me,this 31st.,day of March,1894.

_____

Notary Public.

(COPY)

Tahlequah,C.N.

Feby.,1st.,1873.

Messrs

Isaac Mooney and family and

A.M.Downing and family.

Sirs:-This will certif.Jno.Tayler has placed you on the same bases with G.A.Crane and family.

Yours etc.,

W.H.Turner Clk

Supreme Ct.

C.N.

EXHIBIT 'A'.

11

No

PETITION OF

Amended A Harper

for and on behalf of

herself

and heirs

Hubbard, Garland & Watts.

Attorney & for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation :*

GENTLEMEN : The undersigned, your petitioner, America A. Harper nee Crane for and on behalf of herself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavit of

in support of said claim, and respectfully await the time when their application shall be heard and tried.

Respectfully submitted

× America A Harper

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
America A Harper	31	America A Harper
Alfred L Harper her husband	57	Daughter of Parthena
Children of America A Harper		Cordin who was the dau-
Alfred G Harper	14	-ghter of Zachariah
Jessie A Harper	12	Downs.
Hallie B Harper	10	
Jennie G. "	9	
William E "	8	
Charles M "	6	
Audie D "	3	

In witness of which I hereunto set my hand on this 10 day of Aug. 1896.

Alfred L Harper

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner America A. Harper nee Crane would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in ~~St. Francis~~ Pike County, State of Ark on 10 day of May 1865. My fathers name was Geo. A Crain. My mothers name was Parthena C Crain. That I now reside in Canadian District Cherokee Nation and have resided there for 21 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature America A Harper.
Alfred S Harper.

State of Ind Ter
County of Cherokee Nation
Northern District
Ind Ter } SS

NOW on this 10 day of August 1896 personally appeared before me Isaac Mooney a Notary Public for said county and state America A Harper who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 10th day of August 1896.

Isaac Mooney
Notary Public.
Northern District
Ind Ter

A Duplicate

Nothern District Ind Ter
Briartown I.T.
July 16th 1896

George A. Crain Age 66 years was
Married to Parthena C. Downs in 1852 in
Mt Francis Co. Ark & was acquainted with
the family Downs something over
two years pryor to my marriage I Know
that he was a recognised Indian & Claimed
the Cherokee Blood he Spoke the language
and looked to be ½ breed at least
he always Claimed a right in the Cherokee
Nation Lewis Downing Ex Chief of Cherokee Nation
Claimed that Zachariah Downs was
a first Cousin to him and that the right
name was Zacharah Downing that
he came from Georgia with the rest of
the Cherokees and soon after went Back
and settled in arkansas
I was also [redacted] acquainted with Senry C.
Mooney and Know her to be a full sister
to my wife and a Daughter of the
said Z. Downing or Downs

Writen by Alfred L. Harper
From oral Statement
his
George A. Crain
mark

Witness
R. Z. Harper

Northern District
Ind Ter This the 18th day of July 1896
Personally appeared before me a Notary Public in
and for the above named District George A Crain
to me personally known to be reputable and
after acquainting him with the fore going he
claims that it was his own Oral Statement
Sworn to and subscribed before me
this the 18th Day of July 1896

Isaac Money
Notary Public
Northern District I.T.

I Certify this to be a true Copy
of the Original
Isaac Money N.P.

Oakley Wood Co.
Derby Feb 1st 1873.

Messrs
Isaac Money & Family
And A. M. Downing & family

Sirs:—

This will certify that Jno Taylor has placed you on the Farm Bacco, with E. A. Crone & family

Yrs &c

N. H. Penny, Clk
Superin't
C.W.

State of Arkansas
County of Pike } On this 12th day of
December 1889 personally came before
the undersigned Circuit Clerk of the County
and State aforesaid, Eliza E. Vickery of Pike
County Arkansas, and Nancy M. Musgrove of Pike County Arkansas, persons
to me well known and reputable and
being first duly sworn say that they
were personally acquainted with Partheni-
a Caroline Downs, who married George
A. Crane in 1867 on May 20, that the
said Parthenia Caroline Crane, nee, Downs
was the daughter of Zacharias Downs
and that he said the said Downs was
generally recognized and considered by
the people who knew him to be a Chero-
kee Indian.

Eliza E. her x mark Vickery
Nancy M. her x mark Musgrove

Subscribed and sworn to before
me this 12th day of December 1889.
(Seal) Circuit Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY

First judicial
Division Ind Ter

Personally Apeard Before Me this
the 13th May 1891 J. L. Young and states
on Oath that he was Personally acquainted
With the Following Persons In Tennise and Knew
Him By the name of Jack Downs and was called
by that name a great deal and his proper name was
Jack Downing and was acquainted With his Father
and Knew him By the name of Downs & Downing
and new them as Cherokees Indians & Knew
Jack as Downing as Commissary Quarter Master
for the Cherokee & Knew him to be a cosen to
Lewis Downing and they all come west to
gether

J. L. Young

Sworn to and
Signed Before me this the
13th Day of May 1891

Isaac Mooney Notary Public
First Division
Ind Ter



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Tahlequah Cher
Dece 7th 1892

This will certify Mr Crane a White man and formerly a citizen of the U.S. has complied with the Law of the Cherokee Nation Intermarriage with White men and stands as a citizen under said law of the Cherokee Nation

Marriage License

Recorded

Clerk Dist Court
Dist Attorney
Dist Cherokee Nation

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Cherokee nation }
Flint District } S.S.

In the nature of the
Citizenship Claim of G.D. Crain
this day personally appeared Before
me B.G. Fletcher Clerk in and for the
Flint District Cherokee Nation Christie
of Flint District Cherokee Nation
and Makes the following affidavid
I am 80 years old- a nation Born
Citizen of the Cherokee nation
Affiant further States that he was
well acquainted with Jack. Downs
or Zack Downing of the old
Cherokee nation Back in Georgia
and Knew- the Hole Family of the
Downings- and they was all Cherokee
By Blood- Jack Downs was a
Cousin To Lewis Downing they
Came west together Affiant further
States that he is not Concerned in
the prosecution of this Claim
Walter + Christie
his mark

Sworn and Subscribed To Before me this
13 day of June AD 1895

B.G. Fletcher
Clerk. Flint D.T.

Cherokee nation)
Flint District) SS"

In the nature of the
Citizenship Claim - G A Crain
This Day Personally appeard Befor
Me B[redacted] Fletcher Clerk In and for the
Flint District Cherokee nation the Rec. of
Flint District Cherokee nation
and makes the following affidavid
Affiant States that he is (67) years
old - a full Blood Cherokee Indian
and so Recognized By the Cherokee nation
Affiant futher States that he was well
acquainted with Jack Downs - or Jack
Downing - was acquainted - with his —
father who was a Cherokee Indian
By Blood - Jack Downum the father
of Catolin Downing who Married a
man by the nam of G.A. Crain
Jack Downing was an agent Living
Cation for the Cherokees - Back in the
old nation Jack Downing was a
Cousin to Lewis Downing and they all
Came west together I am not Concerned
In the prosecution of this Claim
his
Jabez X Ross
mark

Sworn and Subscribed to Before
Me This 13 day of June A.D. 1893

B. G. Fletcher
Clerk Flint-Dist
S.D.

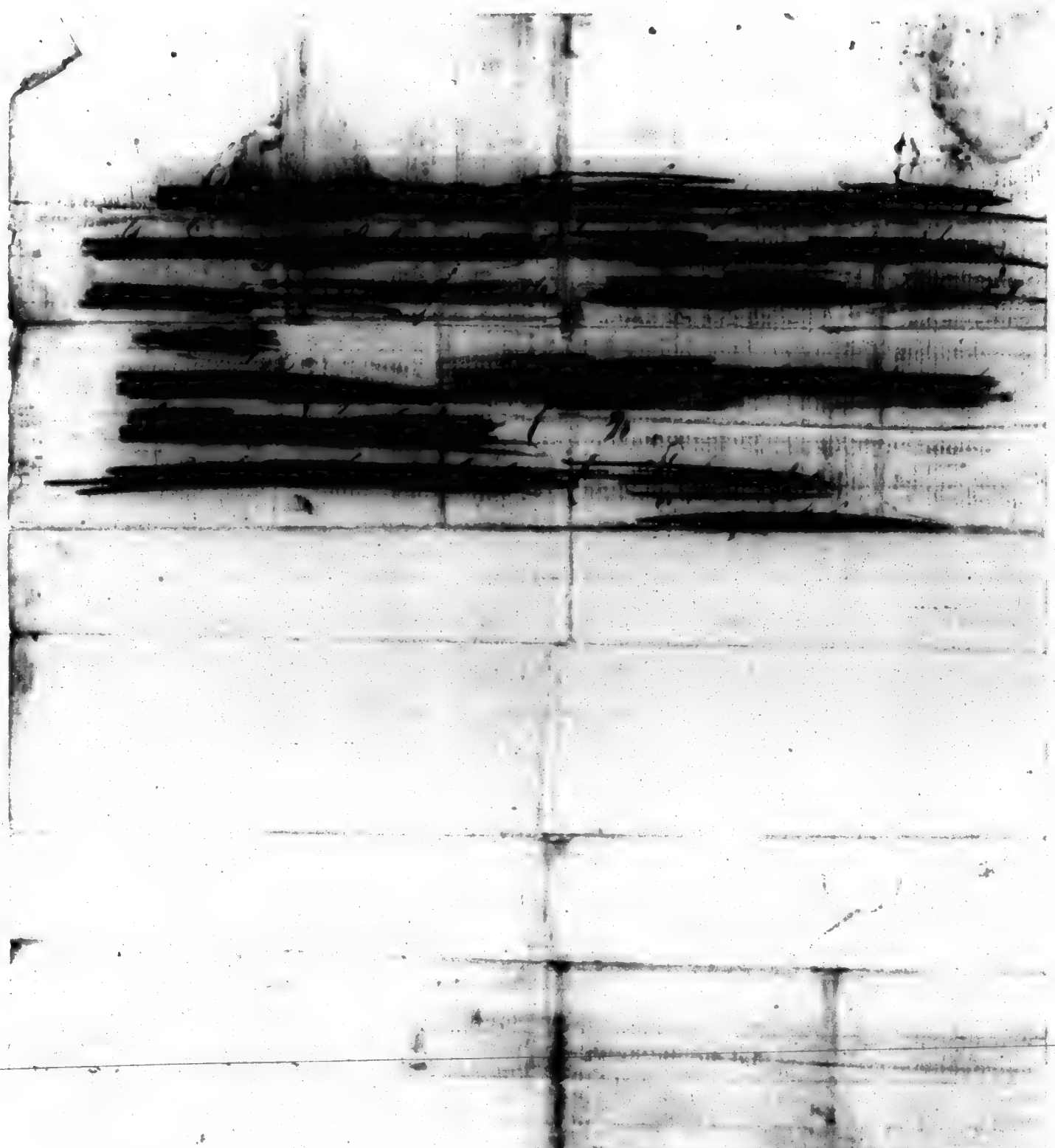
[illegible] Know all men by these presents that I Jack
[illegible] of Carnarvon District,
Christian [illegible] for and in consideration
of the sum of Twenty-five dollars ($25.00) to me
in hand [illegible] paid by George
H. Evans, a citizen of [illegible]
the receipt of which [illegible]
edged, have bargained, sold, and by these
presents do bargain and convey all my right
title and interest in and to a certain
improvement situated in Carnarvon District
and in the Carnarvon Valley, which place
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
and also hereby [illegible] and administrators to defend
the sale of said place unto the said George H. Evans
against any and all persons whomsoever.

In witness whereof I have hereunto set my
hand and seal this the 24th day of August 1874.

Witness John K. Lane — Jack [illegible] his mark [illegible] Seal

Susan Lackey

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End

5505

~~No. 448~~
505

Francis A. Lumkin

vs

Cherokee Nation

Filed this 7th day of
Sept. 1886

Applications

Denied

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Nation's No. 4349

Commission's No .....

In re Application of

Francis A Smith

et al

Demurrer and Answer.

FILED OCT 21,
H. M JACKWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Frances A Smith et al
for citizenship in the Cherokee Nation.

Nation's No.....
Commission's No.....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Elizabeth Catron through whom the petitioner claim to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings Hutchings & Bruner Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this, the 5 day of Oct, 1896.

D. J. Ball
NOTARY PUBLIC.

I, A. R. Breker, to solemnly swear that on the ...7..... day of September 1898, I saw a package registered at the post-office at Vinita, I. T., addressed to C. J. Mayes, Chief of the Cherokee Nation, Tahlequah Ind. Ter., that registry receipt No. .306..... hereto attached, is a receipt for said package which contained true copies of the application of ..Francis.A.Smith..... and of the affidavits of Francis A. Smith, marked Exhibit "A" .Stephen.A..Smith, marked Exhibit "B". Margaret. .Peckham marked Exhibit "C". John.Allen marked Exhibit "D"...Elizabeth.Cotton.marked. .Exhibit "E"..... in support of the same.

(C. A. Breker.

Subscribed and sworn to before me this the .7. day of September, 1898

Harvey E. Don Carlos

Notary Public, My Commission Expires May 11th, 1900.

REGISTRY RECEIPT.

Post Office at VINITA, SEP 7 1898 Cherokee Nation, Ind. Ter.

Registered Letter / Parcel No. 306 Rec'd ....., 189 ,

of W. J. Stanfield

addressed to C. H. Mayes Tahlequah I.T.

D.A. Bayouth P. M.

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A P P L I C A T I O N F O R E N R O L L M E N T

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4th, 1906 to hear and determine Claims for Citizenship in the Cherokee Nation.

Gentlemen: The undersigned, your petitioner . Frances ... for and on behalf of ... self and the husband and adopted citizen and for ... and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in the Cherokee Nation by virtue of their Cherokee blood, and herewith submit the evidence annexed hereto, to-wit:- Affidavits ~~marked Exhibits.~~ Francis I. Smith marked Exhibit "A" Stephen A. Smith marked Exhibit "B" Margaret Beckham marked Exhibit "C" James Malley marked Exhibit "D" Elizabeth Cotton marked Exhibit "E". and make reference to and part hereof the different rolls of Cherokee Indian Citizens, which petitioner believes will show the name of Elizabeth Cotton Russell (nee Elizabeth Maxwell) an ancestor of those for whom this application is made, in support of this application. The name, ages and relationship of those interested with petitioner in this application are as follows,

Names.	Ages.	Relationship to petitioner.
Francis I. Smith	41	Petitioner
Nellie V. Smith	26	Daughter of Petitioner
Emma V. Beckham	22	" " "
Owen L. Smith	16	Son " "
John Smith	11	" " "

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Lew E. Smith	12	Daughter of Petitioner
Barbra A. Smith	10	" " "
Albert L. Smith	7	Son " "
Susan Lee Smith	5	" " "
Mariaee M. Smith	1	" " "
James R. Scott	5	Grandson " "
Alice Lee Scott	3	Granddaughter of Petitioner
Elsie Scott	1	" " "
Stephen R. Beckham	1	Grandson " "

All of which is respectfully submitted.

his
Francis M. Smith
mark

Wilmer T. Griffith

Subscribed and sworn to before me this the 29 day of August

A. D. 1896.

W. L. Stanfield

Notary Public, My Commission Expires

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Exhibit "A"

UNITED STATES OF AMERICA)
INDIAN TERRITORY)
NORTHERN DISTRICT.)

Be it remembered that on this the 27th day of August A. D. 1896 personally appeared before me a Notary Public for and within the District aforesaid, Francis S. Smith who after being duly sworn on her oath deposes and says as follows to-wit, That I am 48 years old a resident of the Cherokee Nation, Ind. Ter. and that my post office address is Oolagah. Ind. Ter. That I was married to my present husband Stephen A. Smith in the State of Alabama, Pike County or on the 9th day of January 1868 and that there has been born to us in lawful wedlock the following children, to-wit:-

Mollie Ann Smith	a daughter,	Born Dec, 30th 1870
Emma V. Smith	a daughter	Born March 13th 1874
Owen S. Smith	a son	Born Oct. 25th 1880
John J. Smith	a son	Born Nov. 13th 1882
Lew E. Smith	a daughter	Born Oct. 24th 1884
Barbara A. Smith	a daughter	Born Dec. 1st, 1886
Albert C. Smith,	a son	Born March 27th 1889
Turner Lee Smith,	a son	Born June 17 1891
Hariass W. Smith	a son	Born Dec. 18th 1895

That of the above children Mollie A. Smith married a man by the name of Eli Scott and that there has been born to the said marriage, in lawful wedlock, and now living the following named children to-wit:-

James F. Scott,	a son	Born Oct. 1st 1891
Alice Lee Scott,	a daughter	Born June 1st 1893
Ella Scott	a daughter	Born Dec. 8th 1895.

That my said daughter Ella V. was married to a man by the name of Leonard Beckham, and that there has been born to the said marriage and now living one child, to-wit-

Stephen R. Beckham, a son, Born May 16th 1895.

That I was born and raised in the State of Alabama and that I and my mother Elizabeth Cotton were known and recognized and were claim-

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as Cherokee Indianas by blood. That my mother's maiden name was Elizabeth Simmons and that she married a man by the name of John Mansell and that I am the only child born of said marriage. That my maiden name was Francis S. Mansell; that I am a Cherokee Indian by blood deraving the same from my said father and mother they both being Cherokees by blood and so recognized by those whom knew them in the State of Alabama both by Cherokee Citizens and other Citizens not Cherokees. that as far back as I can remember my mother and my father and myself were Cherokee s by all who knew us and I have been reliabely informed and verily believe that my mother emigrated from the State of North Carolina with a body of Cherokee Indians who moved from the State ofm North Carolina to the State of Alabama. That my maternal or paternal parents neither one took their allotments in any of the lands in the State of Alabama or adjoining States. That many years ago when thew was quite an emigration from the State of Alabama to the Territory among the Cherokees several of my relatives emigrated to the Territory, and I understand are living in the Territory somewere, but there whereabouts and condition of Citizenship is to me unknown My mother informed me prior to her death many times in conversatuon with me that while she and the balance of the Cherokee Indians were yet living in the State of North Carolina and prior to their removal as aforesaid from the said State to Alabama , of how she and the other Cherokee Indians in North Carolina used to have their Green Corn dances . That when the moon reached a certain height they would all paint themselves and go to the green corn dances . And that she was raised among and with the Cherokee Indians the same as other Cherokee Indinas and that her Cherokee blood was never disputed by the Cherokee or any one else. That I am the Francis S. Smith mentioned by my mother Elizabeth Cotton nee Manshell nee Simmons in her affidavit herewith attached. That as we came to this Territory we met up with a Creek Indian by the name of Ward Couchman who used to live neighbors to my father and mother in the old

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Nation now the State of Alabama, That he stated to us that he well knew my father , That my father used to carry butter and eggs to town to Wetumpka and that he would stop over with him and that he knew my father and my mother Elizabeth Cotton nee Mansell nee Simmons and knew for a fact that my mother and father were both Cherokee Indians by blood and were always so recognized by the Cherokee authorities as well as by the Goverment and by the Citizens .

That owing to sickness and poverty in my family we have been unable to procure the testimony of the said Ward Coughman . I know of my own personal knowledge for a fact and as positive as one can be of such facts and I do hereby solomly swear that I and my said descendents mentioned in this affidavit are Cherokee Indians by blood,

That my mother and I were always while we lived in Alabama and among the Cherokee Indians recognized and claimed by the Cherokees to be Cherokee Indains. That I was advised by those who lived in Alabama and had known me from Infancy and my mother for many years to come to the Territory and identify myself with my people the Cherokee Indians, that I left the State of Alabama and came to this Country with the avowed purpose of becoming a Citizen of the Territory and identifying myself with the Cherokees whom I know to be my people by blood. That my features are that of a Cherokee Indian.

Florence (her) Smith
mark

Subscribed and sworn to before me this the 29th day of Aug. A.D. 1896

N. J. Stanfield

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Exhibit "B"

UNITED STATES OF AMERICA)
INDIAN TERRITORY)
NORTHERN DISTRICT)

------oooo0oooo------

Be it remembered that on this the 29 day of August 1896 personally appeared before me, a Notary Public within and for the District aforesaid, Stephen A. Smith who after being duly sworn according to law deposes and says as follows, to-wit:- That I am ~~the~~ 50 years old, a resident of the Cherokee Nation, Ind. Ter. and that my post office address is Oolagah, Ind. Ter., That I am the husband of Francis E. Smith the applicant for Citizenship in this case, that we we were married in the State of Alabama , Pike County near Troy, on the 9th day of January 1868 and that there has been born to us in lawful wedlock and are now living children as follows, to-wit:-

Mollie Ann Smith,	a daughter	Born Dec. 30th 1870
Ella V. Smith	a daughter	Born March 13th 1874
Owen S. Smith	a son,	Born Oct. 25th 1880
John J. Smith	a son	Born Nov. 13th 1882
Lew E. Smith	a daughter	Born Oct. 24th 1884,
Barbra A. Smith	a daughter	Born Dec. 1st 1886
Albert C. Smith	a son	Born March 27 1889,
Turner Lee Smith	a son	Born June 17th, 1891
Harrass W. Smith	a son	Born Dec. 18th 1895

That of the above children Mollie A. Smith married a man by the name of Levi Scott and that there has been born to the said marriage in lawful wedlock the following named children, to wit:-

James F. Scott,	a son	Born Oct. 1st 1891
Alice Lee Scott	a daughter,	Born June 1st, 1893
Ella Scott,	a daughter	Born Dec. 8th 1895.

That my said daughter Ella V. was married to a man by the name of Leonard Beckham, and that there has been born to the said marriage in lawful wedlock one child, to-wit:-

Stephen R. Beckham, a son, Born May 16th, 1895,

That I lived for a number of years prior to my coming here in the State of Alabama and that while living there with my family and my

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mother-in-law living with me, in my family I know that she my mother-in-law were recognized and acknowledged Cherokee Indians by blood by those among whom they lived, being both Cherokee Indians and other citizens. That my mother-in-law is now dead and that she is a party whose affidavit is filed herewith being signed by Elizabeth , Cotton and acknowledged before J. R. Shaver on the 12th day of January 1894, That I was present at the taking of said affidavit and that she stated to the Notary Public before whom said affidavit was take in my presence and hearing that she nor her mother ever took any allotments of land in the old Nation .

That I have often times heard my said mother-in-law say that she emigrated with a body of Cherokee Indians from North Carolina to Alabama, but that a portion of the company so emigrated stopped on the road to Alabama and did not go all the way through. I have heard her say often times that she was a Cherokee Indian by blood and that she and her mother were both so recognized by the Cherokee Indians while she lived with them in the State of North Carolina and Alabama. She has also stated on several occasions that her husband was a Cherokee Indian by blood he having been recognized by such while among the Cherokees in the old Nation I mean her first husband, John Mansell.

I further depose and say that my mother-in-law Elizabeth Cotton nee Mansell, nee Simmons talked the Cherokee Language or at least she talked a language that I did not understand and I have heard she and other Cherokees talking this language

That my said mother-in-law by her features and complexion resembled the Cherokee people, her complexion was that of a deep dark red, her hair was long,straight and black, her eyes were black and her cheek bones high and from her apperance if I knew nothing of her ancestor I would judge her to be about a half breed Cherokee? My wife derives as I am informed Cherokee blood through both her mother and father and by the description above given of a Cherokee I should judge her to be near a half blood Cherokee. That we came to this Country with the intention and so make this application of making our home with the

Cherokee people. I was advised before I left the State of Alabama by several of the best Citizens around to come to this country and take up my abode with the Cherokee people and Identify myself with them, because there was no question in their minds but that she was a Cherokee.

And these people who thus advised me were people among whom she and her mother and ancestors had lived for years, and among whom they had lived before the Cherokee people were brought to this Country.

Witness to Mark
C. T. Griffith

Mrs. Lucy A. Smith
Mark

Subscribed and sworn to before me this the 28th day of Aug. A. D. 1896

W. J. Mansfield
Notary Public

Exhibit "C"

STATE OF ALABAMA)
SS
COUNTY OF LAUDERDALE)

Be it remembered that on this the 4th day of Sept. 1896 , personally appeared before me a Notary Public for and within said County Margeret Beckham who deposes and sayeth as follows, to-wit:- That I am 55 years old, a resident of Lauderdale County Alabama. That I knew one Elizabeth Cotton nee Mansell nee Simmons and her daughter Francis S. Smith nee Mansell who were residents of this County and State for a number of years before they left here and went to the Cherokee Nation and that while they lived here they were recognized, considered and called Cherokee Indians; that it was considered at that time to be a disgrace in this State for a person to be a Cherokee Indian . That a Cherokee Indian living in this country for a number of years had no reason to expect that their Cherokee blood would ever benefit them from a financial stand point. And that there were no inducements held out to encourage one to claim Cherokee blood for many years. During all of this time the said Elizabeth Cotton nee Mansell nee Simmons acknowledged her Cherokee blood and that she was a Cherokee Indian by blood as did also her daughter Francis S. Smith nee Mansell..

That I have heard the said Elizabeth Cotton and her daughter Francis S. Smith when they were spoken of sneeringly as Cherokee Indians by those of their neighbors who thought it was a disgrace to a Cherokee state that while it might be a disgrace and that while they might not be as well thought of, yet it was useless for them to denigh that they was Cherokees becausenever body knew it and their features and complexion spoke to plain of their Cherokee blood for them to denigh being Cherokeesm. That the first time I ever saw the said Elizabeth Cotton and her daughter Francis S. Smith nee Mansell I knew as well as any one could know from apperances that they were Cherokee Indians because I have been acquainted with the Cherokees their apperance, features, habits all my life.

That I have no interest in the prosecutimn of the claim to Cherokee citizenship in the Cherokee nation of the said Francis S. Smith but that a few years ago when it became apparent that those of ~~it~~ with Cherokee blood in their veins from this State might be admitted to Citizenship in the Cherokee Nation I then advised the said Francis S. ~~Mi~~ Smith to go to the Cherokee Nation become a Citizen thereof and identify herself with her people, the Cherokees.

Witness
L. S. Beckham
J. J. Baugh

her
Margeret X Beckham
mark

SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 4th DAY OF September 1896.

H. J. Burns
Notary Public

STATE OF ALABAMA)
COUNTY OF LAUDERDALE)

I, _____,
Clerk of said Lauderdale County do hereby certify that _____ is a duly commissioned and authorized _____ before whom the above and foregoing affidavit was taken on the _____ day of _____ 1896, duly commissioned and acting in said capacity and that as such officer his official acts are entitled to full faith and credit.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal this the ____ day of _____ 1896.

_____ Clerk

I was Commissioned on the 13th day of Sep 1894.
Expires Sept the 13th 1897.

H. J. Burns
Notary Public

Exhibit "A"

STATE OF ALABAMA)
SS
LAUDERDALE COUNTY)

Be it remembered that on this the 3d day of Sept 1896 personally appeared before me the undersigned notary Public within and for the county aforesaid James M. Allen to me personally known who deposes and sayeth as follows:- to-wit:- That I am 59 years old, a resident of the State of Alabama , That I was well acquainted with Elizabeth Cotton nee Mansell nee Simmons and her daughter Francis S. ~~Smith~~ Smith nee Mansell, while they lived in the State of Alabama ~~among the Cherokees~~ here and I know that they were recognized as Cherokee Indians by blood by ~~both~~ the ~~Cherokee~~ people and other races who lived here. That I have no interest in the prosecution of the claim of Francis S. Smith to citizenship in the Cherokee Nation but that I advised her to remove to the Cherokee Nation from the State of Alabama and take up her abode with her own people the Cherokee. That others who lived her and knew of their Cherokee blood advised her to do the same.

That I have ~~been for a number of years among~~ of the Cherokee Indians and am well acquainted with their features, characteristics and habits and judging from the appearance and habits of Elizabeth Cotton and her daughter Francis S. Smith they are Cherokee Indains by blood. Both having the characteristics of Indians, dark complexion, looking like an Indian, long black straight hair and cheek bones indicating Cherokee blood.

James M Allen

Subscribed and sworn to before me this the 3d day of September A.D.1896.

J. M. Richardson J P

I hereby certify that J. M. Richardson is duly elected and acting Justice of the Peace in and for the County of Lauderdale in the State of Alabama. H.J. Burns Notary Public

Exhibit "E"

Territory of Oklahoma }ss.
County of Cleveland }

I, Elizabeth Cattan being first duly sworn upon my oath and say. That I was born November 11th A.D. 1812 near Raleigh N. C. That my maiden name was Elizabeth Simmons. That I was married to John Mansell in A.D. 1826. near Raleigh N.C. who died on or about the year A.D. 1850. That I was again married to William Cattan on or about the day of A.D. 1861. and that said William Cattan died in the year A.D. 1875. The affiant further states that her mothers maiden name was Priscilla Sanders and that she was Born in North Carolina near Raleigh.

This affiant further states that her mother was a half breed Cherokee and as recognized by the authorities of the Cherokees. and that the said John Mansell to whom I was first married was a Cherokee by Blood That I do not now remember the names of any of the Principal Men or Chiefs of the Cherokees.

The affiant further states That

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Frances Selenia Smith is my daughter by my first husband John Monsell and is the only child now alive and further deponent saith not.

Witness to Mark [illegible] A Nicolemus. J R Shannon

Elizabeth her X Cottar mark.

Subscribed and Sworn to before me this 12th day January 1897.

J R Shannon Notary Public

Commission expires Oct 9th 1897.

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End

5506

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of C.C. Haynes & J.P. Rose et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the Five Civilized Tribes

You ~~are hereby notified that an appeal has been taken in the matter of the application~~ of

Please send me all papers filed by H.H. Hubbard Atty in matter of application of C.C. Haynes and J.P. Rose et al for citizenship in the Cherokee Nation, denied by the Commission on Nov. 24, 1896 under docket No. 5506-

to be enrolled as citizens of the Cherokee Nation, from said

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 2 day of June A.D. 1897.

Jas. A. Winston Clerk.

To The Hon.Henry L.Dawes,FranK C.Armstrong,Archibald S.McKennon,Thomas B.Cabaniss,and Alexander B.Montgomery,United States Commissioners authorized by an act of Congress of June 4th.1896,to hear and determine Claims for Citizenship in the Cherokee Nation,Indian Territory.

Brief and Argument of C.C.Haynes and J.P.Rose,and their descendants,Claimants,to Cherokee Indian Citizenship.

Gentlemen:-

C.C.Haynes Mother's name was Ann Haynes,she was formerly Ann Rose.Ann Rose's father's name was Howell Rose.Howell Rose's Mother's maiden name was Elizabeth;she first married a man named Toney, and after his death she married Rose.She was a full blood Cherokee Indian woman, and was a sister of the wife of John Gunter Sr.,the wife of John Gunter Sr.,was also a full blood Cherokee Indian woman,and she was the Mother of Ned Gunter,Sam Gunter and John Gunter,whose names should appear on the Cherokee Rolls of 1835. It appears therefore that the applicant,C.C. Haynes,is a lineal descendant,and one of the posterity of a full blood Cherokee woman,whose Indian name was simply Elizabeth,before her first marriage,to one Toney,who died,and after his death ,she married a man by the name of Rose. As to the simple name of Elizabeth,that was the custom among the full bloods,as will appear from the letter of D,W.Lipe,filed in this case,"they had no maiden name".D.W.Lipe,one of the most prominent and intelligent citizens of the Cherokee Nation,and who has filled many important offices in the Nation,confesses in this letter that he dont even know his great grandfathers name,and there is no doubt but that there are hundreds,perhaps thousands,of Indians who could not even tell who their grandfathers were.They are satisfied with the fact that their names are on the rolls,and their concern ceases with that knowledge.Now the Cherokee authorities claim that they alone are to make the rolls,and be the sole judges as to who shall be placed thereon.The law creating the Adair Commission or Court,the last ever organized to hear and determine citizenship cases by the Nation,limited the applicant to the rolls;yet it has been the "usage and custom" of the Council to hear and determine the cases of all persons,without respect to the rolls,the place of birth, residence,or amount of blood,notably so in the case of Ex.Chief Harris,

(8)

Whose name, name the name of any of the Heritage Society, so with the Heritage Society, and may
any Choctaws Holl.so with the Choctaws Nation.It is well
to the Choctaws and that Immediately after the
are very Important,but that Immediately after the
Choctaws have Duly Appointed by the
of Blood Choctaws,have been,after
made all the Offering by the Officers
Holla are no Longer a Right as to Who are
not.There can be Settled by Reference to
the Books of Choctaw Nation in Which
and the Census of 1838 and 1838,
Choctaw Nation of 1838 and Whatever
Holla shall be Out on an Indian Hold,it has always
who shall be Out on an Indian Hold,it has always
Choctaw Nation of 1838 and Whatever
Choctaw Nation of 1838 and Whatever
Choctaw Nation of 1838 and Whatever

whose name,nor the names of any of his ancestors ever were on ~~the rolls of~~ any Cherokee Roll.So with the Harnage family,and many other recognized citizens of the Cherokee ~~Indian~~ Nation.It is well established that the rolls are very imperfect,and that hundreds and thousands of full,and mixed blood Cherokees,were never enrolled,either by the United States,which made all the original Indian rolls,or by the Cherokee Authorities.The Rolls are by no means a rigid test as to who are Cherokees and who are not.These facts can be established by reference to Genl.Wool's reports, and the Reports of other enrolling officers from 1832 to 1838,on file in the archives of the U.S.Gov't.,at Washington,D.C. In regard to the Rolls of 1835 and subsequently.So that whenever there is a dispute as to who shall be put on an Indian Roll,it has always been assumed by the United States Government,the paramount authority,to determine the question, whether applicant be an African,an Indian,or an adppted person,and this is done not under the Cherokee laws,usages and customs,but under the treaties and general law of the land.So that C.C.Haynes and James P.Rose who are both lineal descendants of Elizabeth Rose,a full blood Cherokee and their descendants,though not residents of the Cherokee Nation,by virtue of the Cherokee blood derived from their said ancestor,have a vested right to the common use and benefit of the lands now occupied by the Cherokee Nation,and by virtue of the treaty of 1866,they and their descendents have the right to settle upon and occupy 160 acres per capita in said Nation,and to have their names placed upon the revised Rolls to be made by the Commission.

Hubbard,Garland & Watts,

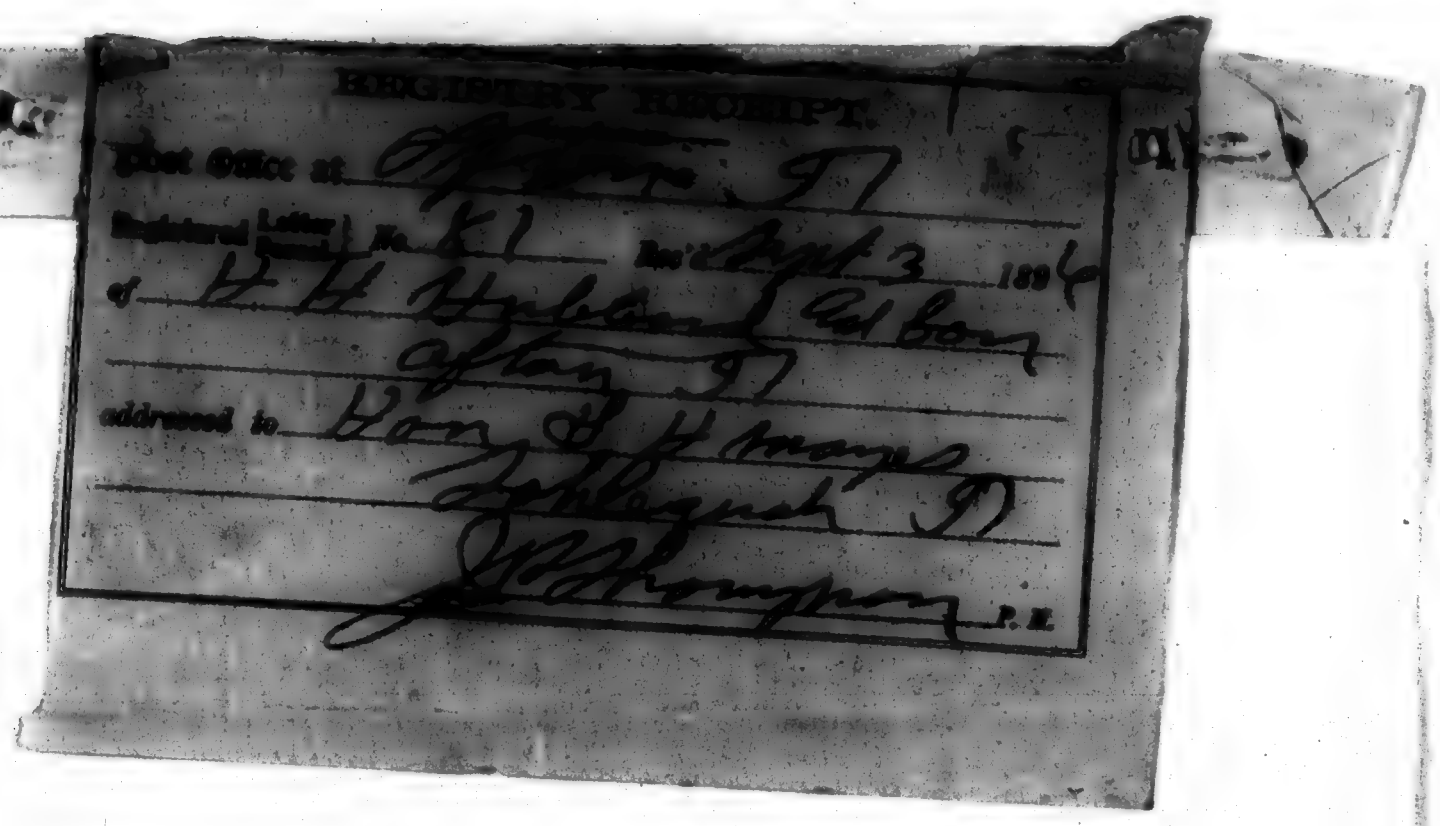
by

H.H.Hubbard & Son, Att'ys.

Applicants

In looking over the Cherokee Nations answer in the above case we see that they deny that John Gunter has ever been a citizen of the Cherokee Nation west,. Messrs Haynes and Rose do not claim their Cherokee descent from John Gunter, but John Gunters wifesSister Elizabeth Rose,nee Toney,. The Nation claims that John Gunters name does not appear on any of the authenticated rolls,.Not only John Gunter's name appears on the roll of 1835, but both Edward and Samuel Gunter,brothers of John ~~James~~ appear on that roll.

Edward Gunter reservated in 1819 in Alabama, John and Samuel Emigrated west.


REGISTERED RECEIPT.
Post Office at Ogden Ut
Registered [Letter] No. 21 Sept 3 1894
of H H Hyde and Albon
of Ogden Ut
addressed to Hon S H Hayes
Lehigh Ut
J W Thompson P. M.

Q.

Matter [illegible] court
re [illegible]
[illegible] list.

I, Frank Ellis, do solemnly swear that on the
[illegible] day of September 1901. I saw a package registered at the Post Office
at Atoka, I.T. addressed to Samuel L. Jones, Chief of the Cherokee Nation
Tahlequah, Ind. Ter., that registry receipt No 57 received from
Post [illegible] which attached is a receipt for said package which contained
true contents of the applications of C.C. Haynes & J.P. Rose
F.M. Crowell, O.A. Smith, V. Alexander
J.S. Ditts, Jas. Ditts Sr. Rebecca Willoughby 2
Also letter of Dew Life

Frank Ellis

3

Jno. J. Hubbard

IN THE MATTER OF THE CLAIM OF C.C.HAYNES, TO COTIZENSHIP IN THE CHERO-KEE NATION IN INDIAN TERRITORY. BEFORE HON. H.L.DAWES,CHAIRMAN, AND OTHERS APPOINTED BY AUTHORITY OF THE ACT OF CONGRESS OF JUNE 4TH. 1896. TO HEAR AND DETERMINE CITIZENSHIP CLAIMS IN SAID TERRITORY.

United States of America ()
U.S.Court for Ind. Ter. () SS.
Northern Judicial Div. ()

Personallyappeared C.C.Haynes, who being ~~#~~ be/me first sworn according to law, states on oath that he is 52 years old and that he was born in Marshall County and State of Alabama at Gunters Landing in the old Cherokee Indian Reservation .That he is a native born Cherokee Indian, and that he is the son of one Ann. Haynes nee Ann Rose a native born Cherokee Indian woman who was born raised and died & was burried on said Cherokee Indian Reservation in said ~~####~~ State of Alabama east of the Mississippi river, the said Ann. Haynes, nee Ann. Rose, was the recognized and reputed daughter of one Howell Rose, a native born Cherokee Indian who was born raised and died on said above reservation east of the Mississippi river,(~~d~~ded about The said Howell Rose, was the reputed and recognized son of one Elizabeth Rose, nee Toney,a full blood native born Cherokee Indian woman who was born lived and died at or near Gunters Landing in Marshall County In the State of Alabama on the old Cherokee Indian Reservation, the said (Betsy) or Elizabeth Rose, was the sister of the wife of John Gunter Sr.she being a native born full blood Cherokee Indian woman and the mother of Edward (called Ned.) Samuel and John Gunter, whose names should appear on the authenticated rolls of the Cherokees of 1835. The said Elizabeth Rose, nee Toney was married twice, her first husbands name being Toney, a white man, her second husband was Howell Rose, a white man also,I can not remember at this time my great grand mothers Indian maiden name, as I left that country when small and my Parents dying~~#######~~leaving me no record of our family history and the time of their death I was too young to remember any conversation that might have passed between them in regard to our family genealogy.

Affiant states that he is the father and Grand father of the following named children, & children and 2 grand children viz:(1)Annie Webb, nee Haynes age 28 years, (2) Minnie Bonham, nee Haynes, age 26 ys she has two children, viz:(1st. Claude Bonham, age 7 years, 2nd. Willard Bonham, age 2 years,) ----(3)Baron H. Haynes, age 23 years, single,---- (4) Jean C. Haynes, age 21 married but no children,---- (5) Willard C. Haynes, age 19 years, single ----(6) Blanche Haynes, age 16 years,---- (7) Kittie O. Haynes, age 13 years,---- (8) Ora L. Haynes, age 11 years.

Affiant makes this his application for the purpose of being placed with his children and grand children on the "Revised Rolls" of the Cherokee Nation, upon the ground that he is the direct descendant of his grand mother Elizabeth Rose, nee Toney who was a native born and well known Cherokee Indian woman and married according to the customs and laws of the Cherokee Nation or tribe,and therefore prays by virtue of being a native born Cherokee that he and his descendants shall be taken and deemed to be citizens of the Cherokee Nation.

C. C. Haynes

Subscribed and sworn to before me, this the 24th day of July1896.

O. M. Mucek
Notary Public

Commission expiresMarch 9th, 1900.

IN THE MATTER OF CLAIM OF JAMES P. ROSE, TO CITIZENSHIP IN THE CHEROKEE NATION IN INDIAN TERRITORY. BEFORE HON. H.L. DAWES, Chairman; and others, appointed by authority of the act Of Congress of June 4th, 1896/ To hear and determine Citizenship claims in said Nation and Territory.

STATE OF TEXAS ( ) SS.
COUNTY OF TARRANT ( )

Personally appeared before me, a Notary Public within and for the above County and State. James P. Rose, who I certify is credible and respectable, who being by me first duly sworn according to law states on oath that he is 53 years old and that his Post Office address now is Arlington Tarrant County and State of Texas, that he was born in Marshall County and State of Alabama, at or near Gunters Landing in the old Cherokee Indian reservation, that he is a native born Cherokee Indian that he is the son of one James Rose, a native born Cherokee Indian, who was also born and raised at or near Gunters Landing in said Cherokee Indian reservation in said County and State, he was born in or about the year 1810 and was killed by one Absalom Parish in or about the year 1857 and was burried at the Gunters Landing Grave yard, the said James Rose, was the son of one Howell Rose, a full brother to Ann. Haynes nee Ann. Rose,)Said Howell Rose was the son of One Elizabeth Rose, nee Toney, a a full blood Cherokee Indian woman and a full sister to the wife of John Gunter Sr., a native born Cherokee Indian (full Blood)woman, and the mother of Edward, Samuel and John Gunter, whose descendants are now recognized citizens of the Cherokee Nation in said Territory.

Affiant states that he is the father of nine living children Viz: (1)Minnie Rose, age 24 years,-- (2) James Rose, age 22 years,--- (3-Jackson, Rose, age 19 years,---- (4) Webb. Rose age 16 years.----(5) William Rose, age 14 years.----(6) Mannie L/ Rose, age 11 years.----(7) Charles Rose, age 9 years.----(8) Wyeth Rose, age 6 years.----(9)Bernie Rose, age 3 years.

Affiant makes this his application for the purpose of being placed with his children on the "Revised Rolls" of the Cherokee Nation upon the ground that he is the direct descenant of his Great Grand Mother Elizabeth Rose, nee Toney, who was a native born and well known full blood Cherokee Indian woman, and married according to the customs and laws of the Cherokee Nation or tribe of Indians, and therefore prays by virtue of being a native born Cherokee, that he and his descendants shall be taken and deemed to be citizens of the Cherokee Nation in said Indian Territory.

James P Rose

Subscribed and sworn to before me, this the 27th day of July 1896.

W D Lasater J P & Ex-officio Notary Public.

My Commission expires on the 3rd day of Nov 1896

Claremore I.T.
Mch 7th 1894

Mr C.C. Haynes
Ruiege Tex

Dear Sir.

Yours of 3rd inst I received and in answer to your request as to what John Guntes (Sen) wifes maiden name was, I will say that is impoible for me to say. She was a full blood Indian, and in that day and time they had no maiden name they simply went by the given name, and in most instances it was an indian name. I dont even know what my Great Gran father name was, my mother may have told me but have no recollection of it. I am satisfied it was an Indian name,

Respectfully

D.W. Lipe

Dear Joe

If any living Indians I will Send you the letter of W. H. Lepen I guss you know Some Blacks Affidavids if not let me Know at once & I will Send Some Just as soon as I can get them from J. P. Pyeus I wrote for some old Day John take Car of this Letter & Send it Back to me

POOR ORIGINAL -
BEST AVAILABLE COPY

United States Court)
For Ind. Ter.) ss.
Northern District)

F.M.Crowell on oath states that he is 37 years old that he is a citizen of the Cherokee Nation,and is a merchant in the town of Afton,I.T.,that he is personally acquainted with Maj.D. W.Lipe,Ex.Treasurer of the Cherokee Nation,and that he is well acquainted with his hand writing,that he has been shown a lettr dated at Claremore,I.T.,dated March 7th 1894,and addressed to Mr.C.C.Haynes,Runge,Texas,and signed D.W.Lipe,that he pronounces the signature genuine,and the hand writing of D.W.Lipe.

F.M.Crowell

O.A.Smith after being sworn states that he is a citizen of the Cherokee Nation,that his Post Office address is Afton,I.T.,that he is well acquainted with the hand writing of Maj.D.W.Lipe,Ex.Treasurer of the Cherokee Nation,that he has been shown the above named letter addressed to C.C.Haynes,Runge,Texas,and signed D.W.Lipe,that he pronounces the hand writing genuine.

O.A.Smith

Subscribed and sworn to before me,this the 29th day of Aug.1896.

Jno. J. Hubbard
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

IN THE MATTER OF THE CLAIM OF C.C.HAYNES,AND J.P.ROSE, TO CHEROKEE INDIAN CITIZENSHIP, IN THE CHEROKEE NATION, IND. TER. BEFORE HON. H.L. DAWES, CHAIRMAN, AND OTHERS. APPOINTED UNDER ACT OF CONGRESS, MCH. 4th, 1896. TO TRY AND DETERMINE SUCH CASES IN SAID NATION AND TERRITORY.

State of Texas, ()
County of Tarrant () ss. Affidavit of V. Alexander,

V. Alexander, after being by me duly sworn according to law, states on oath, that he is eighty one years old, and is now a resident of Tarrant County and State of Texas,that he was born and raised at Gunters Landing in Marshall County in the State of Alabama,. That he removed from said State and County to the State of Texas in or about the year 1870, That he is personally acquainted withthe above applicants who are Cherokees by blood descent, C.C.Haynes and J.P.Rose, the said C.C.Haynes is the son of Ann. Haynes nee Ann. Rose, who was born raised and died on the old Cherokee Indian reservation in Marshall County and State of Alabama, and that she was a native born Cherokee Indian woman, the daughter of Howell Rose, a native born Cherokee Indian who also lived and died near Gunters Landing on said above Cherokee Indian reservation East of the Mississippi river ,in the said State of Alabama,the said Howell Rose, was the recognized and reputed son of Elizabeth Rose, nee Toney,- a full blood native born Cherokee Indian woman who was born lived and died on the Cherokee Indian reservation at Gunters Landing, and died there and was burried in the Gunters Landing Grave yard,the said Elizabeth(or Betsy) Rose was the sister of John Gunters Sr. wife, she being a native born Cherokee Indian woman & the mother of Edward (Ned.) Samuel and John Gunter whose names should appear on the rolls of 1835, as emigrating to the Cherokee Nation West, of the Mississippi River.Said Elizabeth Rose was married twice, her first husbands name was Toney, a white man, and I do not remember her and her sister Mrs John Gunters maiden names, the said Elizabeth died in or about the year 1844 and the said Mrs.John Gunter,Sr, died in or about the year 1884 Howell Rose died about the year 1834.

Affiant further states that he has been acquainted with the said C.C.Haynes for the last fifty years and also with his children from their birth, he has eight viz: (1) Annie Webb, nee Haynes, age 28 years (2) Minnie Benham, nee Haynes, age 26 years old she has two children viz: (1) Claude, age 7 years, (2) Willard, age 2 years old.---- (3)Baron H. Haynes, age 23 years single and at home.-----(4) Jean C. Haynes age 21. married.---(5)Willard C. Haynes, age 19 years, single and at home.----- (6)Blanche, age 16 years.---- (7) Kittie O. age 13 years.----- (8) Ora L. age 11 years.

Affiant further states that he has been acquainted with the said James P.Rose, a first cousin of the said C.C.Haynes, and a son ofJames Rose, whom was a native born Cherokee Indian, born raised and died at Gunters Landing, born in or a bout the year 1810 and died about the year 1857 being killed by one Ab. Parish, a white man, the said James Rose was the recognized son of Howell Rose, and a full brother to Ann.Haynes nee Ann. Rose, said Howell Rose was the son of Elizabeth Rose nee Toney, a full blood Cherokee Indian woman and the full sister to the wife of John Gunter Sr. as above stated. The said James P. Rose has nine children viz: (1) Minnie, age 24.----(2) James, age22.-----(3)Jackson, age 19.---- (4) Webb., age 16.---- (5) William, age 14.----(6) Nannie L age 11 .----(7) Charles, age 9 .----(8) Wyeth, age 6 years.----(9) Bernie, age 3 years.----

W. ALEXANDERS AFFIDAVIT CONYINUED IN THE C.C.HAYNES AND J.P.ROSE CLAIM FOR CITIZENSHIP IN CHEROKEE NATION IN INDIAN TERRITORY.

Affiant repeats as he above states, that he has been acquainted with said Haynes and said Rose and their families before them, and reiterates positively that they are Cherokees by blood and descent and that they have always been recognized as such Cherokees by all of their neighbors that knew the facts and that he verily believes that according to all law and justice, that they are entitled to all the rights and privileges that any other member of the Cherokee tribe are enjoying in said Nation in said Territory. Affiant further states that he is in no wise interested in the outcome of said claim other than to see right and justice carried out, that he believes, knowing all the parties, some by reputation, the said Samuel, and John and Edward Gunter being the Grand Uncles of the said C.C.Haynes and the said J.P.Rose, and whose descendants are now well recognized Cherokees in said Cherokee Nation in said Indian Territory.

Witness to signature.
W. W. Connor
W I Keel

T. Alexander
mark

Subscribed and sworn to before me, this the 27th day of July 1896

S D Lasater J P & Ex
Notary Pbl.

My Commission expires on the 3rd day of [illegible] 1896.

The State of Texas,)
County of Tarrant.) I, John P.King, Clerk of the County Court, in and for Tarrant, County, Texas, do hereby certify that S.D.Lasater, whose genuine signature is subscribed to the above affidavit was at the date of the same, and is now a Justice of the Peace and Ex officio Notary Public, in and for Tarrant County, Texas, duly elected and qualified, and authorized by law to administer oaths and, and full faith and credit are due to all his official acts as such.
Witness my hand and official seal, this the 31st day of July A.D.1896.

John P. King
Clerk of the County Court of
Tarrant County, Texas.

THE STATE OF TEXAS.
COUNTY OF Tarrant } Before me J D Lusuter J P Pct 2
in and for said County and State, this day personally appeared J S Watts
to me well known
and who, after being by me duly sworn, did depose and say that he is well
acquainted with Watts & Allen under and have
been for about two years and knows him to
be a man of truth and veracity he further
says he is 29 years old and a resident
of Arlington Tarrant County Texas

J S Watts

Sworn to and subscribed before me.
WITNESS my hand and seal of office in Arlington
this the 30th day of April 1896
J D Lusuter J P Pct 2
Public Tarrant County, Texas.
By Deputy.

COUNTY OF Tarrant } Before me S D Lasater JP Pct 1 P
in and for said County and State, this day personally appeared Jimmie Dilla
to me well known
and who, after being by me duly sworn, did depose and say that he is well
acquainted with V Allen and has
known him for the last thirty years
and knows him to be a man of
truth and veracity and a man
of high standing he further says he
is 72 years of age and a resident
of Arlington Tarrant County Texas

his
Jimmie Dilla
mark

Sworn to and subscribed before me.
WITNESS my hand and seal of office in Arlington Texas
this the 30th day of April 1896
S D Lasater JP Pct 1
Notary Public Tarrant County, Texas.
By _____ Deputy.

POOR ORIGINAL -
BEST AVAILABLE COPY

File No. _____

AFFIDAVITS.

OF

W. Alexander
J. L. Ditto +
James Ditto Sr.

TO

Established Cherokee Citizenship
James F. Rose.

Filed _____ 189__

_____
Clerk.

By _____
Deputy.

State of Alabama }
County of Marshall } Before me the undersigned
a Notary Public in and for the County & State aforesaid
personally appeared Rebecca Willoughby who
after being by me duly sworn states that
She is 80 years of age and is a citizen
of Marshall County and State of Alabama
and that she is personally acquainted with
C. C. Haynes. --- Who is an applicant for
citizenship in the Cherokee Nation. I. T. and
Affiant further states that the said C. C. Haynes
is the identical Person he represents himself
to be in his application for citizenship in said
Nation and that the said C. C Haynes is the
Son of Anna Rose, the daughter of Nancy Rose,
who was the son of Elizabeth Rose. whose
first husband was Nancy Torrey. and Elizabeth
Rose on Torrey's maiden name was Elizabeth
She was the Sister of John Gunter Sn. of Miss. and
the Aunt of Mr & Mrs John Gunter Jr & Sons. Ned.
Sam and John. Affiant is the grand daughter
of said Elizabeth Torrey. and grand niece of said
John Gunter Sn. of Miss and her sister Elizabeth.
they were Cherokee Indians and she was present
when both of them died. Affiant further states
that she has not seen the applicant since he was
a small Boy. -- Affiant says she has every reason
to believe and does believe that the said C. C. Haynes.
is of Cherokee Indian blood. -- Affiant further
states that she has no interest whatever in the

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BEST AVAILABLE COPY
DOCUMENT GLUED

prosecution of the claim of the said C. C. Haynes
to citizenship in the Cherokee Nation I. T.

Rebecca X Wilbourn
her
mark

Attest:

Subscribed to and sworn to before
me this the 6th day of July 1899
Witness under my hand and official
seal this the 6th day of July 1899

J. B. Stearns
Notary Public

State of Alabama / before me the
County of Marshall / undersigned
J B Stearns a Notary Public ~~for~~ in and
for the County and State aforesaid
personely appeared Rebecca Willoughby
who after being by me duly sworn
states that she is Eighty years of age
and is a citizen of Marshall County
and State of Alabama and that she
is personelly acquainted with J P Rose
who is an applicant for citizenship
in the Cherokee Nation P O and
affiant further states that the
said J P Rose is the identical
person he represents himself to
be in his application for citizen-
ship in said nation and that the
said J P Rose is the son of James
Rose the son of Howell Rose who
was the son of Elizabeth Rose
whose first husband was named
Doney said Elizabeth Rose's or Doneys
Maiden name was Elizabeth she
was the sister of John Gunter Sr's
wife and the aunt of Mr & Mrs
John Gunters three sons Ned Sum
and John affiant is the grand
daughter of said Elizabeth Doney
and Grand Niece of said John Gunter
Sr's wife and her sister Elizabeth
they were Cherokee Indians and
she was present when baith of

them died appint further states
that she has not seen the applicant
since he was a small boy -- appint
says she has every reason to believe
and does believe that the said J P Rose
is of Cherokee Indian Blood -- appint
further states that she has no interest
whatever in the prosecution of the
Claim of the said J P Rose
to Citizenship in the Cherokee
Nation S J-

her
Rebecca X Willoughby
mark

attest-

Subscribed and Sworn to before
this the 6th day of July 1896 and I
further certify that I am well acquainted
with the said Rebecca Willoughby and
know her to be a person of credibility and
of truth and Veracity Given under my
hand and official Seal attached. this
the 6th day of July 1896

J B Stearns
Notary Public

No. ~~54~~ 760, 44 ~~11~~

PETITION OF

C. C. HAYNES ~~#257~~ 5595

J. P. ROSE, ~~#257~~

and their

Descendents

---

with inclosures of
Affidavits of J.M. Crimmins
Jo Smith. J.B. Miller & James Pettit
V. Alexander Rebecca Williamson
Letter of Rights —

Before the Hon. Dawes Com.
on Cherokee Citizenship

~~Rec'd & Answered~~

~~C~~

Filed Sept 5-1899
A S McKennon
Comm

2 affirs

Denied

Hubbard Copeland & Watts
by
H.F. Hubbard & son
Attys

End

5507

Nation's No. 3867.

Commission's No.

In re Application of

S. A. McGlasson, et al.

Demurrer and Answer.

FILED SEPT. 1896.

A. S. LEFLORE

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

S. A. McGlasson, et al. Nation's No. 3367.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Robert Berry, through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 26 day of Sept. 1896.

D. J. Bell

NOTARY PUBLIC.

No. 4226 5807

Before the Dawes
Commission in
Cataja under the
Act of June

S. A. McGlasson
nee Williamson

The Cherokee Nation

Petition & Proof
& Demand

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Case of Fannie Wheeler
Simmons

REGISTRY RECEIPT.

Post Office at Muscogee, Ind. Ter.

Registered Letter / Parcel No. 203 Rec'd Sept 2 1896

of J Walker

Muscogee, Ind. Ter.

addressed to Hon S H Mayes

Tahlequah I T

F. M. Perry P.M.

Indian Territory

Northern District

I, Will E. Linton solemnly swear that on the 8 day of September 1903 I saw a package registered at the post office, of Muskogee Indian Territory addressed to the Hon. T. M. Hayes, Kenwood Principal Chief of the Cherokee Nation Tahlequah Indian Territory ~~aforesaid~~ that registry receipt No. 213 receipted from the Post master hereto attached is a receipt for said package which contained true copies of the application of S.A. McGlasson nee Williamson ~~and affidavits of witnesses~~

In support of the same.

Will E. Linton

~~Subscribed and sworn to~~ before me this 8 day of September 1903.

John D. Mangles

Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, S. A. McGlasson nee Williamson of undersigned, respectfully states that she is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Robert Berry her great great grand father, who was a Cherokee Indian by blood. by direct lineal descent as follows from said Robery Berry to his daughter Annie Berry married to Thomas Williamson, thence to their son Thomas Williamson jr. and thence to their son F. M. Williamson the father of this claimant S.A. McGlasson nee Williamson. and asks leave to refer to the testimony filed with the petition of petitioner's father F. M. Williamson in respect to this case

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Cherokee Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 35 years. My Post Office address is Muscogee I.T.

My family consists of the following-named persons: My husband and children, as follows:

Husband	Jesse McGlasson	aged 36 years,
Leslie Sandifer	(son by first husband)	aged 13 years,
Courtney McGlasson		aged 2 years,
Thomas A. "		aged 6 years,
Ive May "		aged 8 years,
		aged years,
		aged years,
		aged years,
		aged years,
		aged years.

WITNESS my hand this 5 day of Sept 1896.

S. A. McGlasson

Indian Territory, Northern District } ss.

Personally appeared before me, the undersigned authority, S. A. McGlasson to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

S. A McGlasson

Subscribed and sworn to before me at Muscogee I.T. this 5 day of Sept A.D. 1896.

John W. Scales
Notary Public

Seal

End

5508

POOR ORIGINAL -
BEST AVAILABLE COPY

No. 149 The Creation 650 Bill (?)

Before the Dawes Commission on Citizenship in the Five Civilized Tribes.

#

Rebecca Hawkes
nee Hall.

vs.

Cherokee Nation.

#

Sealed
Petition & Proofs

#

Filed Aug 28, 1896.
W. M. Jadwin
Clerk

John Mullins
Atty
Muskogee, I. T.

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, Aug 11 1896

Received from Watkins & Longley. copies of

the following documents, to-wit:

Affirmation.
Oral Affidavit.

certified to by J. H. Longley N. P.

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of

Rebecca Hamilton, nee Hall,

for Cherokee citizenship.

By John B. Adair EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

Indian Territory
Northern District

C. N. Barton Of lawful age being First duly sworn deposes and says that on the 11th day of August 1896 I delivered a true copy of the attached petition and testimony to the Honorable S. H. Mayes, Principal Chief of the Cherokee Nation at the town of Tahlequah, in said Cherokee Nation

C N Barton

Subscribed and sworn to before me this 13th day of August 1896.

John W Wright
Notary Public.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Rebecca ~~Hall~~ Hawkins nee Hall, undersigned, respectfully states that she is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from her great grandmother Barbara Winters Starns, who was a recognized Cherokee Indian by blood by direct lineal descent from said Barbara Winters Starns to Nancy Bradshaw her daughter and thence to the daughter of the last named, Sarah J. Hall and thence to her daughter this applicant. The said Barbara Winters Starns was a recognized Cherokee Indian and member of the tribe in the old Cherokee Nation east before the migration of the Cherokees to their present reservation and she was born in saoid Old Cherokee Nation as one of them

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Cherokee Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 23 years. My Post Office address is Nellers Falls Ark. Ter.

My family consists of the following-named persons; My and children, as follows:

Walter Campbell Hawkins	aged	8 years.
Ella Lamanda Hawkins	aged	1 years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.
	aged	years.

WITNESS my hand this 4th day of August, 1896.

Rebecca Hawkins

Indian Territory
Western District } ss.

Personally appeared before me, the undersigned authority, Rebecca Hawkins, to me known to be the petitioner in the above petition, who being by me first duly sworn, upon oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Rebecca Hawkins

Subscribed and sworn to before me at Muscogee Ind. Ter. this 4th day of August, A.D, 1896.

John H. Kemp
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

See case of Sarah J. Hall for Evidence in this case.

Indian Territory
Northern District

I Rebecca Hawkes being duly sworn depose and say I am the Rebecca ~~Hall~~ Hawkes, who has made application for Cherokee citizenship in the annexed petition. My maiden name was Rebeccah Hall and I am the daughter of Sarah J. Hall who has made application for citizenship in said Cherokee Nation. That my husband's name is Dave Hawkes and I have children as stated in my petition. I have resided in the Cherokee Nation for about 18 years past and have always claimed and asserted my right to full Cherokee citizenship by reason of my blood ever since I arrived at years of discretion. I ask that the testimony submitted in the case of my mother Sarah J. Hall be taken an d considered as the testimony likewise in my case in support of my pettition.

Rebecca Hawkes

Subscribed and sworn to before me this 4th day of August 1896

John W. Kingsley
Notary Public

Eliza Cowan of Webber Falls Indian Territory and Ange Reeves of Muscogee Indian Territory being duly sworn depose and say that we ~~have~~ are acquainted with theabove named applicant for Cherokee citizenship, Rebecca Hall and know her to be a daughter of Sarah J. Hall and also know her family and have heard read the foregoing affidavit and petition annexed of Rebecca Hawkes ~~read~~ and believe the statements therein made are true. The said Eliza Cowen has been acquainted with Rebecca Hawkes and her family ~~since~~ since she was a child, and Ange Reeves has known said Rebecca personally for three years past and by reputation for a much longer period.

Eliza Cowan
Ange Reeves

Subscribed and sworn to before me this 4th day of August 1896

John W. Kingsley
Notary Public

BEFORE THE HONORABLES, Henry L. Dawes, Frank C. Armstrong,
A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery,
Commissioners.

In the matter of application of
Rebecca Hawks Nation's No. 96 Vv
Mc Hall Commisssion's No. ___.
for citizenship in the Cherokee
Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~is~~ is entitled to Citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that
Barbara Walker Starr
through whom the petitioner...claim..{ to derive.....her.....right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that ~~his~~ name does not appear on any of the authenticated rolls of said Nation.

For a further and complete defense, respondent says that in 1888 Nancy Bradshaw applied before the National Council of the Cherokee Nation for admission to citizenship, filing in support of her application the affidavits of Mary Bond & Elizebeth Kelly, Copies of the original now on file in the Executive Department of this government are filed herewith and asked to be taken as a part of this answer.

Again on July 17,1884,said Nancy Bradshaw filed before a duly and legally constituted citizenship Commission,her application for a re-hearinb of the admission decision which had been rendered by the Cherokee Council on the affidavits above referred to. A copy of the said application to the Secretary of the aforesaid Commission is attached hereto and asked to be made a part of this answer. Also a copy of the memoranda on the back of the envelop containing the original papers and the decisions of said Court in this and like cases,being copies of pages 216-217 & 218 of the docket and decisions of said Commission on citizenship now on file in this office.

That again on the 5th of October 1887,said Nancy Bradshaw filed her application for citizenship before another duly and legally constituted Commission on citizenship, copies of her application and the decision of said Commission being hereto attached and asked to be taken as a part of this answer. Respondent says that the applicant appeared personally before said tribunal which had jurisdiction over the persons and subject matter in controversy,and that their several decisions are final and binding upon the said Nancy Bradshaw,her heirs and descendants.

Having fully answered,your respondent asks to be hence dismissed.

S. H. Mayes,Principal Chief C. N.

By Mitchell Hastings & Bradley Attys

John L. Adair,Executive Secretary,having been first duly sworn,states that the matters contained in the foregoing answer, are true,to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the 31 day of Aug. 1896.

D. J. Ball
Notary Public.

Copy -

Tahlequah, Cherokee Nation.

November 16, 1888.

To the Hon. National Council:

The undersigned respectfully submits the accompanying testimony in support of her claim to the rights of ~~xxx~~ Cherokee citizenship. These rights she claims by virtue of Cherokee descent. The affiants are known Cherokees and citizens of the country and by the same reason that they are such I claim the alike privilege. From the testimony it will appear that I am of the same family that they are and descendant of the same stock. John Wintees, who was a citizen of the country by blood was my mother's full brother. Other testimony can be obtained, if required, proving who John Winters was.

Respectfully Yours &c.

Nancy Bradshaw.

Copy

The Cherokee Nation,)
)
District of Tahlequah.)

Personally came before me Allen Ross, clerk of the district aforesaid, Mary Bun, ~~xxdistrictxof~~ resident of Canadian District, and citizen of the Cherokee Nation, who having been sworn makes the following statement: "I am the sister of Elizebeth Kelly, and a daughter of John Winters deceased. I know that the applicant, Nancy Bradshaw to be my cousin, being the daughter of Barbra Stairs, who was a Minters and sister to my father the said John Winters deceased. My father, John Winters lived in Sequoyah District where he died several years before the war. My father was recognized as a Cherokee, his rights in the country being never doubted. Mrs. Bradshaw, applicant, is the niece of John Winters alone named. The wife of the said John Winters died, and my mother was old Ellick Sanders' daughter, a known Cherokee. Nancy Bradshaw, ~~affiant~~ applicant, claims the rights of citizenship upon the merit of Cherokee descent from both of her parents.

Sworn to and subscribed before me this the 16th day of November 1878.

her
Mary Bun
mark.

Allen Ross, Clerk
Tahlequah District, C.N.

Copy

District of Tahlequah,)
)
Cherokee Nation.)

Personally came before me, Allen Ross, clerk of the District aforesaid, Elizebeth Kelly, daughter of John Winters, who was resident of the Cherokee Nation, in Sequoyah District, now deceased, and being duly sworn makes the following statement: "I am the daughter of the said John Winters, and who was recognized as a Cherokee and citizen of the Cherokee Nation; That Nancy Bradshaw, applicant, for rights of citizenship, is my first cousin and daughter of Barbra Stairs, who was my aunt, being my father's sister, who was the said John Winters. I am certain that the applicant, Mrs. Nancy Bradshaw is the daughter of Barbra Stairs above named, and that the said Barbra Stairs was my aunt' and my father's (John Winters') sister. I know them to be what I say they are, having known them all my life. At present I am a citizen of Going Snake District, and am well known to be a Cherokee.

Sworn and subscribed to before me this the 16th day of November, 1878.

her
Elizebeth Kelly
mark.

Allen Ross, Clerk
Tahlequah District, C.N.

Copy

Webbers Falls, C. N.

July 17,1884.

Hon. Charles O. Frye,

Secretary Com. Citizenship,

Sir:- In accordance with the Act of the National Council and Proclamation of Asst.,Principal Chief R. Burch,relating to re-hearing of certain cases of rejected claimants for citizenship in the Cherokee Nation,the undersigned would respectfully files this her application for such re-hearing.

Very respectfully,

Nancy Bradshaw,

Claimant for Citizenship.

Copy

APPLICATION FOR CITIZENSHIP.

----oOo----

TO THE HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned your petitioner,this day makes this her application for re-admission to citizenship in the Cherokee Nation,accordance with the Constitution and with an Act of the National Council,approved December 8th,1886,creating your Commission. And,respectfully makes the following statement of the grounds of this her application,to-wit; That Nancy Bradshaw is the daughter of one Mrs. Hibbens,sister of John Winters,who the undersigned firmly believes was duly enrolled upon the Census Rolls of Cherokees by blood,citizens of the Cherokee Nation,taken and made in the year 1835,1851,and 1852. The undersigned hereby presents the above facts as the lawful grounds for this,her application for Cherokee Citizenship by blood,and respectfully awaits the time when her application shall be truly heard and tried in accordance with [illegible].

Age 72 years; Post Office Webbers Falls,I.T.,family with their relationship attached is as follows:

Names	Sex	Age	Relationship.

In witness of which application I hereunto set my hand on this the 30thday of Oct.,1887.

Nancy Bradshaw.

Wm. A. Thompson,Atty.

Given name of ancestor to be supplied.

Copy

Office Commission on Citizenship, Cherokee Nation, Tahlequah.

June 19th, 1889.

Namcy Bradshaw,

vs

Cherokee Nation.

There being no evidence in support of the above named case the Commission decide that Namcy Bradshaw, age 72 years is not a Cherokee by blood.

Post Office address, Webbers Falls.

Will P. Ross,

Chairman.

John E. Gunter, Com.

P.216. Copy

Cases Defaulted before Court of Commission.

Known as the Chambers Court & re-opened.

Case No.1. James White)
Mary Jane ")
Sellers ")
James ")

Filed June 12,'84.

P.217.

2nd. John Bradshaw) Docketed June 27,1884.
William Bradshaw)
Caldona Bradshaw.) C. O. Frye,Sec'y.
Citizenship Commission.

P.218.

3rd. Nancy Bradshaw)

July 2, 1884.

[illegible] Affidavit.

[illegible] Secretary of the [illegible]ian
[illegible] have examined the foregoing with the o-
[illegible], and that the same is a true
[illegible] copies therefrom.

[illegible] hereunto set my hand and affixed
[illegible] Philadelphia, this 31st
[illegible].

John L. Lean.
Executive Secretary.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

5509

Original

AFFIDAVIT.

STATE OF ARKANSAS,
COUNTY OF Madison } ss

In the case of Emily Hale, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me

J B Lewis

a Notary public

, within and for the County of Madison, State of Arkansas, aforenamed, duly athorized to administer oaths Susan Evans to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, depose and says: Act ; my name is Susan Evans, my age is 64, my Post office address is Whitener Ark I am a by occupation; I am a citizen of Ark Madison Co and the affiant declares in relation to the above-named case as follows, towit: I am personally and well acquainted with Emily Hale.

who is a daughter of Rhoda Hinson

who is a of Daniel Vaughan

who was a Son of Fenby Vaughn nee Burton

who was a Grand daughter of John Looney who was a Cherokee Indian by blood.

her
mark
Witness J B Lewis Susan X Evans

Subscribed and sworn to before me this 1st day of Sept, A. D., 1896.

J B Lewis
Notary Public.

My commission expires 14 day of Jan, 1899.

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } ss

In the case of Emily Hall, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me J B Lewis a Notary public, within and for the County of Madison, State of Arkansas, aforenamed, duly athorized to administer oaths Nancy Lane to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: Ust; my name is Nancy Lane, my age is 70, my Post office address is Whitener Ark. I am a by occupation; I am a citizen of Ark- Madison Ark. and the affiant declares in relation to the above-named case as follows, towit: I am personally and well acquainted with Emily Hall who is a Daughter of Rhoda Hunson nee who is a of Daniel Vaughon who was a of Farnley Vaughon nee Benton who was a Grand daughter of John Looney who was a Cherokee Indian by blood

Nancy her ~~wife~~ mark X Lane

Subscribed and sworn to before me this 14th day of Sept-, A. D., 1896.

J B Lewis
Notary Public.

My commission expires 14 day of Dec- , 1899.

Orignal

Application for Citizenship

The Honorable Dawes Commission
Tahlequeah Indian Territory

The undersigned E~~mily~~ F. Hale nee Vinson your petitioner moves this her application for admission to citizenship in the Cherokee Nation Indian Territory as a cherokee Indian by blood in accordance with all the Treaties the constitution & laws of the Cherokee Nation the precidents established & of record & respectfully submits the following statements of facts for the grounds of her claims.

That she is a ~~Daughter~~ of one Rhoda Vinson and the Grand daughter of one Daniel Vaughon ~~and a~~ Great Grand daughter of one Fereby Vaughon nee Benton who was a Grand daughter of John ~~Benton~~

Who your petitioner firmly believes Was Cherokee Indian by blood & duly acknowledged members of the Cherokee Indian Tribe & from whom she derives her Cherokee Indian Blood entitling her to citizenship in the Cherokee Nation Indian Territory

That the names of said ancestors should be found to appear on the Census roll taken & made

of the Cherokees East of the Mississippi
River in the years 1817- 1833 1848- 1851
& 1862- & your petitioner respectfully
awaits the time this her application
for admission together with the proof
in support thereof shall be duly
heard & passed upon. That the age
of your petitioner is 37 years that
her post Office address is Wolftimer
Madison Co- Ark- & that her family
by virtue of Cherokee Indian blood
consists of the following named towit

No	Name	Sex	Age	Relationship	Remarks
	Emily Hall	Female	37	applicant	
1	Dora Hale	Female	14	daughter	
2	Lena Hale	Female	8	daughter	
3	Herman Hale	Male Boy	7	son	
4	Denver	Male	5	son	

In witness whereof I have hereunto set
my hand at Wolftimer Madison Co
Ark- this 29 day of aug 1896

her
Emily x Hale
mark

Attest
C E Lewis

Subscribed & sworn to before
me this 1st day of Sept- 1896.

J B-Lewis
Notary Public

My term expires
June 4th 1899

No. 1087 5509

Emily
~~J. B.~~ Hale

v.

Delaware Indians

Filed Sept. 5, 1896
H. W. Jameson
Secretary

Allen
Rejected

P.O. address
Wauseon, Ohio
Madison Co. Ohio

End

~~Kw 2411~~ 5510

Jane
Susan Lincoln :
vs
Cherokee Nation

Filed Sept 8-1896
as Mckennon
Crum

Denied

Motion for

Application for Citizenship

Now Hay L Evans Choctaw Dawes Commission Visiter of I
Jerr Jubilumm the undersigned big duly sworn on his oath
respectfully states that his name is Susan Ford, Thomas ens age
42 yrs Post office address Marlow I T and that she is
entitled by Blood to citizenship in the Indian Territory for the
following reasons - Her Mothers Maiden name, was Susan
Russell - She was a Choctaw Indian woman - Married my father
William Culpepper - My father died & Mother next married Hay Evans.
& after Hay Evans death she married Hay Lowry. Barbara Russell
was my Grand Mother, and a full Blood Choctaw Indian woman
I rely on Mothers Indian Blood, which is supported by affidavits on
in the hands of H O Chernaby at Tahlequah I T.

That the family and identity consists of the following named
persons. My husband J O Lemasters is dead. and his children
as follows. Lee Lemasters. aged 20 - Jesse Lemasters. aged 18. Melvin Lemasters aged 17
Olivia Lemasters 15 - John Lemasters 13. Viola Lemasters 11 - Edgar Lemasters 10
Everett Lemasters 9 - Callie Lemasters 4 yrs old - Roxy Lemasters 8 months
old
and respectfully ask to be enrolled. Together with such members
of my family as a member of the Choctaw Indians in the
Indian Territory — from Position of the above facts as the
lawful grounds of my application for citizenship in the said
Choctaw Nation. and prays that my claim may be investigated
by your honorable body and that she be adjudged to be a citizen
of said Choctaw Nation Indians and entitled to all

the oath and pulique pulacing to each citizen in accordance with the laws and trodies made with the said nations of indians

Returns my hand on this 6 day of sept 1896

Returns
D Hunter
James D Pugh

Leon Jones his X mark Simmons

Before me personally appeared the undersigned authority on this 5th day of sept 1896 & certify that said Simmons is a responsible & creditable person worthy of belief and that I am not interested in the matter of which this affidavit relates

Returns my hand & said office on this 5 day of sept 1896

M Thompson
notary Public

AFFIDAVIT OF WITNESS.

STATE OF Ind Ter }
COUNTY OF Pickens }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared W B Jones & J E Parks who after being duly sworn states that Hy is 29 & 4 years of age, and is a citizen of Pickens County and State of Ind Ter, and that Hy is personally acquainted with Susan Jane Lemoseus

Who is an applicant for citizenship in the Choctaw Nation, I.T., and affiant further states that the said Susan Jane Lemoseus is the identical person she represents herself to be in her application for citizenship in said Nation, and the said Susan Jane Lemoseus is a daughter of Adeline Russell, who married my father William Culpepper, my grandmother Barbara Russell was a full blood Choctaw Indian woman. Before my mother, Adeline Culpepper (Russell) was a Choctaw, once in support of this my claim upon to obtain an enrollment in the Choctaw Office at Tahlequah I Certified Copies of which are in the hands of W O Thompson at Tahlequah & Therein set forth - & this is by Susan Jane Lemoseus & in this time to the

Affiant further states that Hy has known the said Susan Jane Lemoseus for the past 4 years, and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Choctaw Indian blood, and that the complexion and physical appearance of the said Susan Jane Lemoseus indicate that the said Susan Jane Lemoseus is of Indian blood. That from the above facts and circumstances and from statements made to us by the said Susan Jane Lemoseus, affiant states Hy his every reason to believe that the said Susan Jane Lemoseus is of Choctaw Indian blood.

Affiant further states that She has no interest whatever in the prosecution of the claim of the said Susan Jane Lemoseus to citizenship in the Choctaw Nation, I. T.

W. B. Jones
J E Parks

SUBSCRIBED AND SWORN TO before me, this 5 day of August, A. D., 1896., and I further certify that I am well acquainted with the said W B Jones & J E Parks and know them to be a person of credibility and of truth and veracity.

W E Thompson
NOTARY PUBLIC.

My Commission expires on the 12 day of March 1897

POOR ORIGINAL -
BEST AVAILABLE COPY

State of Ind Ter
County of Pickens

This day appeared personally before me the undersigned
authority, a Notary Public in & for Pickens County I T
Lucon Jane Limoodus. Who being by me duly sworn on
his oath says that his Mother was Arabina Russell.
Married his father. William Culpepper - My mother was
a Choctaw indian woman - My Grand Mother Barbara
Russell (wife of Berry Russell) was a full Blood
Choctaw indian woman

Witness
W. B. Jones

Sworn to and subscribed } Lucon Jane his X Limoodus
before me this Sept 5/96 } mark

W. C. Thompson

Notary Public

My Commission expires April 11/99

This day of June personally appeared before me the undersigned authority a Notary Public in and for Pitkin County C. T. J. R. Fleming Post Master at Malow C. T. who being by me duly sworn on his oath says that he has attached the foregoing both original & duplicate of Miss Susan Jane Emerson Application for Citizenship in the Cherokee Nation and finds the duplicate to be true & correct Copies of the original and the same Communication & Visitation C. T. & that he has this day forwarded one true & correct Copies this day by due Course of Mail to the Hon as principal Chief of the Cherokee Nation at Tahlequah C. T. the Capital of said Cherokee Nation

Sworn & Subscribed to
in my this aft- 1896

J. R. Thompson
Notary Public

My Commission expires Oct 10/96

J. R. Fleming
Post Master
Malow C. T

2

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT.

HAVING PERMANENTLY ASSOCIATED WITH ME
M. O. GHORMLEY,
ATTORNEY,
AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLE'S STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T. Aug 3d 1896

IN RE J. Lonoaca
VS.

I mitty owned
days ago to You about Four papers
Which You sent me — and have not
yeiny any Answer — the time is
short. And if You desire for me
to file and prosecute Your Claim and
Get one Hundred & which is Worth
Five dollars — and fifty dollars More
When Claim is Allowed — and by Mony
Order —

Your in Lost —

Yours M. O. Ghormley.

The Filing Clerk to
D. E. D. Appl —

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT.

OFFICE OVER PEOPLE'S STORE. ROOMS 9 AND 10. SECOND FLOOR.

HAVING PERMANENTLY ASSOCIATED WITH ME
M. O. GHORMLEY,
ATTORNEY,
AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

TAHLEQUAH, CHEROKEE NATION, I. T. Aug 18 1896

IN RE J Lomas cus
VS.

Your recind and In reply will say- I have recind Jon papers. Have handed them consideration good- & If you desire for us to prosecute your claim you need it immediately for valuable fee. Which is twenty five dollars down and fifty dollars more when your claim is allowed. This for single person. The time is very limited. In filing claims the 10th of Sept- Let me hear from You soon-

Your in haste
M. O. Ghormley.

Avalon Russell mort.

John Russell-

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

To Hon Henry L Bowers, Chamberlain Winslow A.T.

Sir—

It is with much regret that I am forced by peculiar circumstances to file my application for Citizenship in the Choctaw Nation accompanied by such limited evidence. When the Courts are, that I have an abundance of Officials—or rather Certified Copies of Officials—on record, or file in the Clerks office at Tahlequah I.T. how had them for over 10 years—by son sent them recently to Mr O Thornly atty at Law Tahlequah I.T. as you will see by his two letters both attached. Mr Thornly's argument of $25.00 I could not meet, and had to order my papers back. and as they have not been returned am forced at the last Moment, to file my application, and take Chances of same ever being given by body—if I could get my evidence (now in Thornly's hands) before you, I would have no doubt as to the result—and would respectfully ask you to have Mr M.O. Thornly bring my papers before you, provided you can do so, without doing violence to the Law position you occupy—The facts are, that I am a very poor Widows woman, with only 10 Children to look after and

Care for, without money, and even the necessaries of life, no home, and aside from relatives to assist me.—While these are facts, I would not presume to ask at your hands, any favors not fully justified by Law—I am satisfied that the record in Tahlequah would fully support my assertion, that my mother Evaline Cudjo(pen) was a Choctaw Indian Woman—and in the event my case, if your Court would do me the favor to examine same (if in Tahlequah) your kindly act, would be appreciated—

My right to Citizenship in the Choctaw Nation would have been established years ago, if I could have induced my husband (J.B. Lemons Dec) to have remained in the Choctaw Nation—my efforts to effect same was thwarted, by my mother Morning "Henry Lemons" a Choctaw Indian, which gave her a right to Citizenship, without further effort—, and my living far away from her, with no means, on which to operate, how simply had to hold my papers—until I sent them to before attached to Mr Thornly, expecting to get my papers

[redacted]

FRAME 1

[redacted]

Respectfully Yours

in the Clerks office at Tahlequah I.T. how Lost them for over 10 years — by can sent them nearly to Mr O Ghormly atty at Law Tahlequah I.T. as you will see by his two letters Lately attached. Mr Ghormly's account of $ 25-00 I could not Meet. and had to order my papers back. and as they how not been returned am forced at the Last Moment. to file my application and Take Chances of Same and Upon your how

[illegible]

favor, I would how no doubt as to the result — and would respectfully ask you to how Mr M.O. Ghormly bring my papers before you, provided you Can do so, without doing Violence to the How position you occupy — The fact are, that I am a very poor Widowed woman, with only 10 Children to look after and

Care for, without Money, and with the necessaries of life, so hard, and aside from Wishes to assist me, — While these are facts, I would not presume to ask at your hands, any favors not fully Justified by Law — I am Satisfied that The Court in Tahlequah would fully support my assertion, that my mother, Sophia Culpepper was a Cherokee Indian Woman — and in the event my case, if you Honr, would do me the favor to examine some (if in Tahlequah) your Kindly act, would be appreciated —

My right to Citizenship in the Cherokee Nation would how been established years ago, if I could how induced my husband (J.A. Lincoln) to how remained in the Cherokee Nation — my efforts to effect same was Thwarted, by my Mother Marrying "Hey Lowry" a Cherokee Indian, which gave her a right to Citizenship, without further effort, and my being far away from her, with no means, or Wish to Operate, how simply had to hold my papers — until I sent them as before stated to Mr Ghormly, expecting to get my papers & claim submitted to you — if it be within your province to send for and Compel the attendance of Witnesses, I can refer you to the following parties, who

Know that I am of Cherokee Indian origin — and respectfully refer you to John Mayfield — Tahlequah I.T also John Russell & Peyton Russell — Tahlequah I.T — John Culpepper (my brother) Minnie & Indiola Lowry (my first sisters) they drew their annuity years ago, upon & before the Nation — they Know who the above named lady sisters of mine Married — my mother also drew her annuity — my grand father was Woody Russell, his wife Bathsba Russell was my grand mother, and a Lady true Cherokee woman

Respectfully Submitted
Susan Jane Lincoln.

P.S. Please Look the following named witness

Jack Shepard — S McCarrel — John Bradley
Mc Shepard & Tom Lowry — all of Vinita I.T
Susan Lee Jack Roberson
Dora Lowry Lee Lowry & Ley Campbell Fort-Gibson or Tahlequah I.T

FRAME 2

End

To the Honorable the Dawes Commission on Citizenship in the five Civilized Tribes in the Indian Territory.

Your petitioner Levi W Merrill undersigned respectfully represents that he is a Cherokee Indian by blood and also to be enrolled as a member of the Cherokee nation of Indians in the Indian Territory. That he derived his said Indian blood from Ann Parker formerly Ann Ann Scruggs his Grand Mother who was a Cherokee Indian by blood

The said Ann Parker who was a daughter of Hyatt Stubblefield who died in Tennessee in about the year 1820 and was acknowledged and recognized then as a Cherokee Indian and my Mother Clarissa J Loveless is a daughter of the said Ann Scruggs now Ann Parker

Your Petitioner states the above facts as the lawful grounds of his application for Citizenship in the Cherokee nation and prays that his claim may be fully investigated by your Honorable Commission and adjudged to be a Citizen of said Cherokee nation of Indians and entitled to all the rights and privileges pertaining to such Citizenship in accordance with the laws and treaties with said nation of Indians

My Age 48 years my Post-Office addrss is Edna Kansas and my Family Consists of the following persons My wife Rebecca Herrell My Children as follows

Charles Herrell aged 19 years
May Herrell " 16 "
Lou " " 12 "
Lena " " 10 "
Claud " " 8 "
Geo " " 5 "

Witness my hand this 7 day of Sept 1896

his
Lewis M x Herrell
mark

Witnesses
J. H. Reasor
F. L. Herrman

~~State of Kansas~~
~~County of Labette~~ } ss

State of Kansas
Labette County } ss

Personally appeared before me the undersigned Authority Lewis M. Herrell to me known to be the person in the foregoing petition as being the petitioner who being by me first duly sworn upon his oath says that he is the petitioner in the above petition that he has heard read the said petition and that the facts stated therein are true as he verily believes.

his
Lewis M x Herrell
mark

witnesses
F. L. Herrman
J. H. Reasor

Subscribed and Sworn to before me this 7 day of September 1896.

J. H. Reasor
Notary Public

Reg in vol-
ume X X

My Com. Exp. Feb. 14-1899

State of Missouri }
County of Jasper }

Robert Crisman being duly sworn according to law deposes and says.

My Name is Robert Crisman I am 64 years of age.

My Post-office address is Carthage Jasper County Missouri

I am personally well acquainted with Lewis M. Harrell an applicant for Citizenship in the Cherokee Nation. I have known him for about 38 or 40 years.

I know him to be a part Cherokee Indian by blood and he derived his said Indian blood from his Mother Clarissa J Lovelace the said Lewis M Harrell is a son by the said Clarissa J Lovelace first husband who was a daughter of Ann Scruggs who has since married to T H. Parker and whose Post-office address is Ardmore Indian Territory. who was also well known to me. The said Lewis M Harrell is a Grand son of the said Ann Parker formerly Ann Scruggs and her Maiden name was Ann Shoolefield who was born in East-Tennessee they were known and recognized there as Cherokee Indians.

The said Lewis M Harrell is the son of the said Clarissa J Lovelace and a Grand son

of the said Ann Parker who was a Cherokee Indian by blood and recognized member of and who lived in the old Cherokee Nation in the State of Tennessee previous to the migration of the Cherokees to the west

The said Ann Parker was born in the old Cherokee Nation in Tennessee as one of them, I have no doubt whatever that the applicant is a Cherokee Indian by blood and that she descended from Cherokee Indian ancestors and members of the Tribe

I make the foregoing statement from my own knowledge and also from my knowledge of applicant family their history and tradition learned by me

Robt his X mark Chrisman

Witness

D. R. Lemmons
Ld Ter

Subscribed and Sworn to before me this 8th September 1896. My term expires Dec 27th 1898

M. M James
Notary Public

Deeds Iredell Book
No 21 08
Mr Mon Deeds
Commissioner
Lewis Mitchell
et al
Christie Nalem

Filed Sept 8th 1896
A. J. McClennon
Clerk

Registered

Dec 1896

State of Missouri
ss
County of Jasper

Clarissa Loveless, wife of Jonathan Loveless , being duly sworn accordingly to law deposes and says,

My name is Clarissa Loveless, I am 66 years of age, My post--office address is Carthage, Missouri, I am personally acqu--ainted with Lewis McKissell he is My son by My first Husband. is 48 years of age, I know her to be a Cherokee Indian by blood from the fact that my Mother Ann Scruggs, now Ann Parker, and from my grand-mother, Miza Stubblefield, who was the wife o of Wyatt Stubblefield, who was a Cherokee Indian, They said that they were Cherokee Indian by blood and derived said blood through my grand-father Wyatt Stubblefield, a Cherokee Indain who died in Tennesee, about the year 1820, having been recog--nized member of the Cherokee Indians.

Clariss Loveless

Subscribed and sworn to before me this 3rd day of September, 1896. My Com. exp. Dec 27 98

M. M. James
Notary Public

End

No 5512

John Howell et al

vs.

Cherokee Nation

"

Order of Appeal

6 - 433

285

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of John Howell et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

John Howell et als

to be enrolled as citizens of the Cherokee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23rd day of Jan. 1897. A.D. 189....

Jas Dunn Clerk.

5512

Nation's No. 675

Commission's No .....

In re Application of

Mary Browning

Demurrer and Answer.

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Mary Browning

Nation's No. 625

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Silvia Cooper through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that her name does not appear on any of the authenticated rolls of said Nation; that neither she nor any of her ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Banning Attorneys

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 7 day of Sept, 1896.

D. J. Ball

NOTARY PUBLIC.

End

55B

✓

Nation's No. 9852
Commission's No. 5513
In re Application of
Louis A. E. Hardpath
et al

Demurrer and Answer.

FILED SEPT. 28 1896.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Louisa E. Hildreth et al
for citizenship in the Cherokee Nation.

Nation's No. 2832
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Ralph Doors through whom the petitioner claim to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hitchings & Bandini Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 23 day of Dec. 1896.

D. J. Ball
NOTARY PUBLIC.

POOR ORIGINAL -
BEST AVAILABLE COPY

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of Louisa E Hudspeth To Cherokee Indian Citizenship.

AFFIDAVIT OF

Miles Patton

STATE OF Texas
COUNTY OF Comanche } ss.

On this, the 1st day of August A. D., 1893, personally before me, J. Marks a Notary Public, in and for the county aforesaid, duly authorized to administer oaths, appeared Miles Patton aged 35 years, a resident of Comanche County, and State of Texas whose postoffice is Dike Springs who after being duly sworn according to Law, says that he is well acquainted with one Louisa E Hudspeth the claimant named in the above entitled claim to Cherokee Indian citizenship and have known the said claimant for 28 years

Affiant further says that the said Louisa E Hudspeth is the identical person whom she represents herself to be and no other;

and is a direct lineal descendant of the Ralph Davis Family, whose name ~~he~~ believes, appears upon the Census rolls, that were taken by the United States government by blood, of the Cherokee Tribe of Indians in the year, 1828-1835—

Affiant further says that he believes the said Louisa E Hudspeth to be of Cherokee Indian blood, and rightfully belongs to the Cherokee Tribe of Indians.

Affiant further says the above statements are true to the best of his knowledge and belief.

Miles Patton

Subscribed and sworn to before me this 1st day of August A. D. 1893

J. Marks
Notary Public.

My commission expires. June 1st 1895

(over)

I certify that the within affidavit of Jules Patton was read over to him by me word for word before Subscribing thereto.

J. Marks
Notary Public
Comanche Co. Texas

GENERAL AFFIDAVIT.

IN THE MATTER OF CLAIM

Of Louisa E. Hudspeth. To Cherokee Indian Citizenship.

AFFIDAVIT OF

Martha A Davis

STATE OF Texas
COUNTY OF Comanche } ss.

On this, the 1st day of August A. D., 1893 personally before me, J. Marks a Notary Public, in and for the county aforesaid, duly authorized to administer oaths, appeared Martha A Davis aged 65 years, a resident of Comanche County, and State of Texas whose postoffice is Deleon who after being duly sworn according to Law, says that he is well acquainted with one Louisa E Hudspeth the claimant named in the above entitled claim to Cherokee Indian citizenship and have known the said claimant for 83 years.

Affiant further says that the said Louisa E. Hudspeth is the identical person whom she represents herself to be and no other.

and is a direct lineal descendant of the Ralph Davis Family, whose name he believes, appears upon the Census rolls, that were taken by the United States government by blood, of the Cherokee Tribe of Indians in the year, 1828-1835

Affiant further says that he believes the said Louisa E Hudspeth to be of Cherokee Indian blood, and rightfully belongs to the Cherokee Tribe of Indians.

Affiant further says the above statements are true to the best of his knowledge and belief.

her
Martha X A. Davis
mark

Subscribed and sworn to before me this 1st day of August A. D. 1893

J Marks
Notary Public.

My commission expires. June 1st 1895

I certify that the within affidavit of
Martha A. Davis was read over to her by
me word for word before subscribing thereto

J. Marks
Notary Public
Comanche Co. Texas

PETITION. Dawes Commission

TO THE HONORABLE. ~~THE NATIONAL COUNCIL~~:

The undersigned petitioners would respectfully represent that they are Cherokees by blood, being direct and lineal descendants of The Ralph Davis Who was a Cherokee Indian, and whose name appeared on the census rolls of the Cherokees of 1828-1880

We would most respectfully ask your Honorable Body for readmission to all the rights of a Cherokees as provided by Sec. 2. Art. 1. of the constitution of the Cherokee Nation.

Your petitioners will ever pray.

Louisa E Hudspeth 33 years

Vinna E Hudspeth 10 years
Anna B Hudspeth 8 "
Diamond E Hudspeth 6 "
George P Hudspeth 4 "
Sterling D Hudspeth 2 "
Earl R Hudspeth 8 months

6513

J. P. Haynes
Comanche

Louisa E Robertson
vs
Charles Nalen

Filed Sept 8th 1896
A. M. McKinnon
Clerk

Rejected

P. V. Deloney
Comanche.
Texas

CLAIMANT'S AFFIDAVIT.

IN THE MATTER OF CLAIM

Of Louisa E. Hudspeth to Cherokee Indian Citizenship.

AFFIDAVIT OF

Louisa E. Hudspeth

STATE OF Texas
} ss.
COUNTY OF Comanche

On this, the 1st day of August A. D., 1893 personally before me J. Marks a Notary Public, in and for the county aforesaid, duly authorized to administer oaths, appeared Louisa E. Hudspeth aged 33 years, a resident of Comanche County, and State of Texas whose postoffice is DeLeon, who, after being duly sworn, says she is a direct lineal descendent of the Ralph Davis family, whose name, she believes, appears upon the census rolls that were taken by the United States Government by blood, of the Cherokee Tribe of Indians, in the year 1828-1835

Affiant further says that she believes herself to be of Cherokee Indian blood, and rightfully belongs to the Cherokee Tribe of Indians.

Affiant further says she is the identical person whom she represents herself to be and no other

Affiant further says the above statements are true to the best of her knowledge and belief.

Louisa E Hudspeth

Subscribed and sworn to before me this 1st day of August A. D., 1893

J Marks Notary Public.

My commission expires June 1st 1895

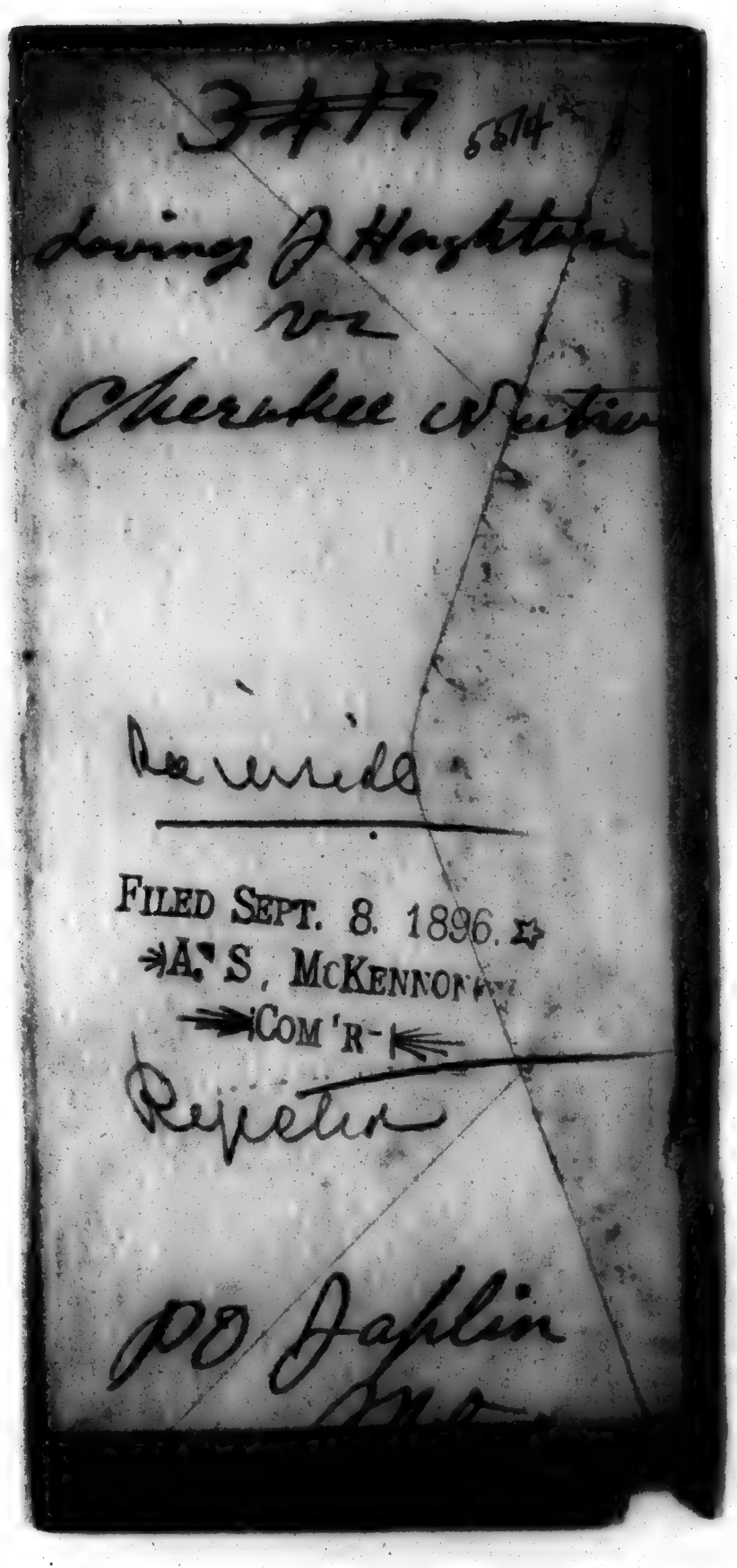
I certify that the above affidavit of Louisa E. Hudspeth was read over to her by me word for word before subscribing thereto

J Marks
Notary Public
Comanche Co Texas

POOR ORIGINAL -
BEST AVAILABLE COPY

End

5514


3#7 6614
Loving J Hazlett
vs
Cherokee Nation
Records
FILED SEPT. 8. 1896.
A. S. McKENNON
COM'R
Repeter
PO Dahlin
Enc

B438

5574

Nation's No. 2146

Commission's No. .....

In re Application of

Fleming J. Houghton
et al

Demurrer and Answer.

FILED SEPT. 27 1898.
A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Lonny J. Longdon et al

Nation's No. 2146

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Jacob Daly through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hastings & Benedict Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 12 day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

In re-Application of
Yoneo Hayashi
for Calif Exemption

Before the Hon. The Dawes Commission duly appointed and authorized to hear and determine application for citizenship in the Indian Territory.

In re, application of Lavina J Houghton for citizenship,
In the Cherokee Nation Indian Territory,

Your petitioner Lavina J Houghton being duly sworn deposes that she is a Cherokee Indian by blood and entitled to the rights privileges and benefits of Indians of the Cherokee nation, Indian Territory,

That Jacob Bly whose roll number petitioner claims appears on the Cherokee Indian roll as prepared and adopted ~~[illegible]~~ was a Cherokee Indian by blood, through whom petitioner claims her right to citizenship in said nation, together with the rights of her children, the names, age and sex of said Children are as follows,

Jessie M. Houghton, Male age, 17 years

That neither your petitioner or ancestors have at any time, taken a reservation in the old Cherokee Country or upon any neutral Indian lands,

That petitioner is 41 years of age and a resident of Mobile City State of Ala. Your petitioner further states that he has not to the best of his knowledge violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises her name and that of her children be placed on the rolls to be prepared, and all her rights, rights and those of her said Children, be determined as per the proof herewith, and the laws and treaties governing. Lavina J Houghton

Subscribed and sworn to before me this 31st day of August 1896 - My Commission Expires May 30th 1900

James D Mead Notary Public

In re Application of
Henry J. Knight
and H. [redacted]
for Patent for Improvement in Shuttles.

Knight

State of Missouri }
County of Jasper } ss

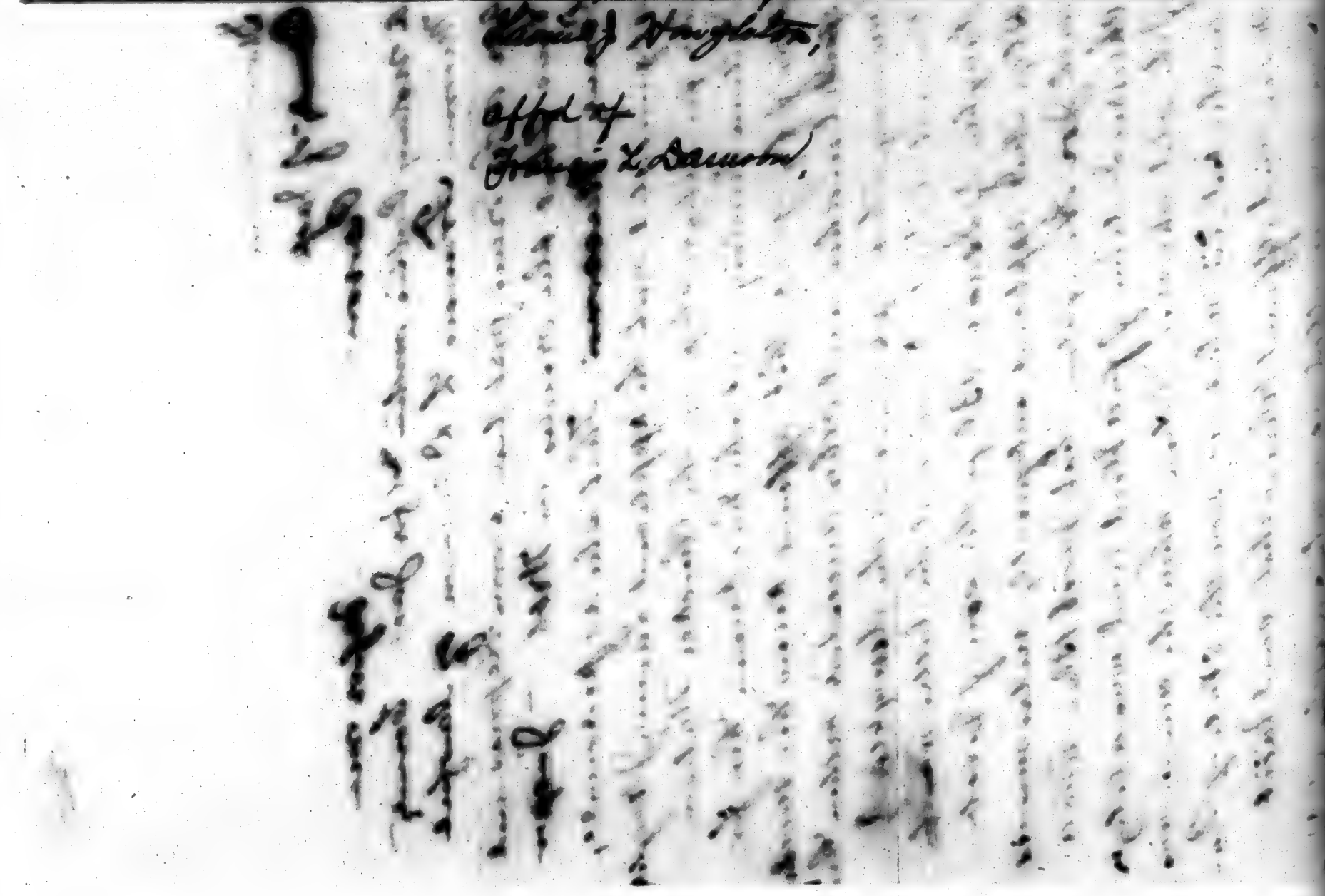
Personally appeared before me Miranda Williams who being by me duly sworn deposes and says that she is well acquainted with Mrs Lavina J Houghton applicant for Citizenship in the Cherokee Nation Indian Territory That she has personally known said Lavina J Houghton for the last Eighteen years and knows that she has always been among her associates recognized as a Cherokee Indian descended from Jacob Bly - that he was her great Grand father and lived in Tennessee when that State was a part of the old Cherokee Nation and that he claimed to be a Cherokee Indian by full blood and recorded as the Indian census rolls as a citizen of the Cherokee Nation - Affiant further states that she is a resident of Webb City Jasper County Missouri and further said not

her
Miranda Williams
mark

Subscribed and sworn to before me this 31st day of August 1896 My Commission Expires May 30th 1900

James P Reed
Notary Public

In the Matter of
Daniel Douglass,
a Bankrupt
In the District Court



State of Missouri }
County of Jasper } ss

Personally appeared before me a Notary Public within and for Jasper County Missouri Francis L Dawson of lawful age who being first duly sworn deposes and says That she resides in Webb City Jasper County Missouri That she is personally acquainted with the applicant Lavinia J Knighton for citizenship in the Cherokee Nation Indian Territory that she has known her for over fifty years that affiant knew her mother grandmother and other ancestors within her memory That applicant is the daughter of Margaret Matilda Dorris and the latter was the daughter of Isaac Blye the son of Jacob Blye That applicant subsequently intermarried with Jon Knighton That Jacob Blye was a Cherokee Indian of full blood and was a citizen of the old Cherokee Nation When the same was included within what is now the State of Missouri and affiant believes that said Jacob Blye was enrolled as a citizen of the old Cherokee Nation on the Cherokee Indian rolls of 1835 or 1836- Further affiant saith not

Francis L Dawson
mark

Witness Mrs
James Reed

Subscribed and sworn before me this 4th day of September 1896- My commission Expires May 30th 1900-

James Reed
Notary Public

End

5515.

Application for Cherokee Citizenship.

To the Honorable the Dawes Commission, Vinita Indian Territory.

The undersigned J. T. Hulsey your petitioner for and on behalf of hime self and heirs this day makes this his application to you for the pur- Rose of being placed on the revised roll of Cherokee indiand and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation.

Your petitioner submits the followim statement of facts for grounds of his said claim to wit: Petitioner is a son of Rachael Carnes, who was a daughter of John Carnes. That said John Carnes was a son of Betsy Cash, who was a full blood Cherokee Indian woman. Petitioner knows from family history that said Betsy Cash a full blooded indian woman inter- married with Jodah Carnes the father of said John Carnes, and gran father of petitioners mother Rachael Carnes. That said Betsy Cash was a duly acknowledged member of the Cherokee tribe of Indians, and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the cen- sus Rolls on the Cherokee East of the Mississippi River.

Your petitioner is 67 years of age, his Post office address is Rock- mart Polk County Ga, and his family by virtue of Cherokee Indian blood is as follows:

Sarah A Hulsey age 65 years wife of applicant.

John C. Hulsey age 41 years son of petitioner. Charles L Hulsey age 38 years son of petitioner. Robert M. Hulsey age 36 years son of pet'r Avery M. Hulsey age 34 years son of petitioner. William J. Hulsey age 32 years son of petitioner. Fannie Hulsey age 30 years daughter of petitioner. Callie Hulsey age 28 years daughter of petitioner.

Petitioner and all of his said children except one now reside in Polk county Ga. Petitioners said ancestor Betsy Cash lived in Cobb County Ga, and died there about 1836. Your petitioner herewith submits the pro proof of this application and respectfully waits its termination

J Hennisagel Hulsey

State of Georgia Polk County.

You Jennings T. Hussey do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belie so help you God.

Jennings T Hussey

Sworn to and subscribed before me this Sept. 2nd 1[illegible]. and I here[illegible] certify that the petitioner is known to me as the identical person represented in his petition , and is a person of good character and [illegible] worthy of credit .

Jno L Brewer Ordinary
Polk County Ga

No [redacted]99 5515
Pauc County Georgia

Jennye J Hulsey
applicates for
Citizenship on
Chrocracter

Filed 7 Sept 1896
H M Doe ovay
Clk.

Rejected
W.B. Echols
Atty
Adairsville
Ga

Georgia Polk County.

Personally came before me Ellis W. Clements who on oath says that he has known Jennings T. Hulsey for 35 years or more, that he is the identical person he represent s himself to be, and affiant knows that s said J.T.Hulsey, is reputed to be descended from Indian ancestors. Affiant has seen his mother Rachel Hulsey, formerly Rachael Carnes, tha she had many of the racial features of an indian woman, she had very high cheek bones, long straight black hair and a red complexion. Affiant also knows said Hulsey to be a man of good character and worthy of credit.

E. W. Clements

Sworn to and subscribed before me
this Sept 2nd 1908.

Joel Brewer Ordinary

End

59

Affidavit of
Elias Hickle
original

1

1

1

I. P. Bledsoe
Atty

2

– Affidavit –
Orginal

Elias Nickle being sworn states: I am 69 years old and have lived here about 18 years in the Cherokee Nation, Ind. Ter. I have known Marguette Nickle about 45 years and she was a slave of Col. Lewis or Jack Ellis, a cherokee citizen, living in the Cherokee Nation, Ind. Ter. She was a slave in Feb. 1863 or until set free by the emancipation proclamation and she was here in the Cherokee Nation in 1866. and she has made this her home and had property here ever since. The following are her children and grand children entitled to be enrolled as Cherokee freedmen viz:

Viola	Williams	age 41 years	Daughter
John	Nickle	" 39 "	Son
Specard	"	" 37 "	"
Gittie	Miller	" 26 "	D.
Cora	Foreman	24	D
Oceola	Nickle	22	Son

Children of Viola Williams
James Williams age 17 yrs. G. Son

Children of Specard Nickle

Nancy	Nickle	age 14 years	Daughter
Leatta	"	" 12 "	"
Willie	"	" 10 "	Son

Daniel Hickle age 8 years Daughter
Ocie " " 6 " Son
Maggie " " 4 " D

John Hickle Children
Eliza Hickle age 8 years Daughter
Cordelia " " 6 " "
Elias " " 3 " Son

These are the entire family of children and grand children alive and entitled to be enrolled as Cherokee freedmen (17 in all)
witness
J B Butler

his
Elias X Hickle
mark

Signed and sworn to before me on this Sept. 3rd 1896.
Choctaw, Ind. Terr., Northern Jud. Dist. {

D. P. Bledsoe
Notary Public

Affidavits
Jury Butler
original

Maggie " " 4 " 4 D
John Wickli child age 5 years
Edna Wickli " " 6 " F D
Cordelia " " 3 " F D
Elias " " 8 " F S

R. O. Bledsoe
Atty.

Chateau Ind. Ter.
Cherokee Nation } ss. Affidavit
Sept. 3rd 1896. original

Jury Butler being sworn states. I am 38 years old and a cherokee citizen on the true roll and have lived here near these people and know The Hickles family for the last 16 or 17 years and they have always claimed to be cherokee freedmen through their mother Marguette Hickle, whom I believe to be a Cherokee freedman and entitle to be listed as such. They live in the Cherokee Nation Ind. Ter. I know the entire family and Grand Children of them all and know them to be living here now Viz

Marguette	Hickle	age	56	years Mother
Viola	Williams	"	41	" Daughter
John	Hickle	"	39	" Son
Speecad	"	"	37	" "
Gintie	Miller	"	26	" D
Cora	Foreman	"	24	" "
Ocola	Hickle	"	22	" Son

J. B. Butler

Signed and sworn to before me on this Sept. 3rd 1896.

Chotean Ind. Ter. } D. C. Bledsoe
Southern Ind. Dist. } Notary Public

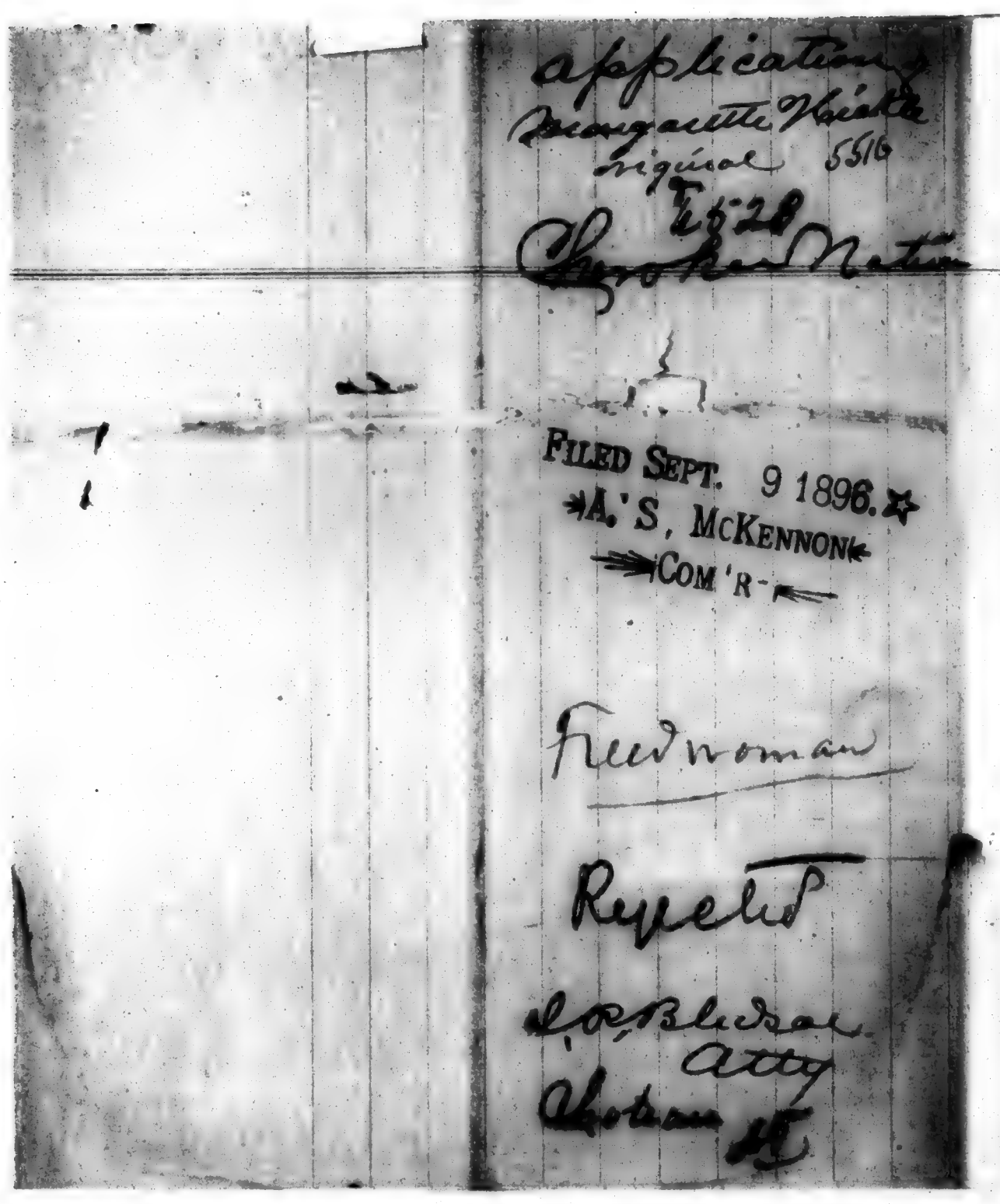
children of Viola Williams
James Williams age 17 yrs. G. Son

6 children of Spencer Hickle
Nancy Hickle age 14 years G. Daughter
Leatta " " 12 " G. "
Willie " " 10 " G. Son
Lonie " " 8 " G. D
Ocie " " 6 " G. Son
Maggie " " 4 " G. D

John Hickle children
Eliza Hickle age 8 years G.D
Cordelia " " 6 " G.D
Elias " " 3 " G. S

Affidavits
Jury Bustin
original

P. P. Meeder
Atty.


application
Marguerite Violette
original 5516
Ex 28
Stephen Nelson
FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.
Freedman
Rejected
L. A. Bleidorn
Atty
Chicago Ill

Cooiscoowee District
Cherokee Nation
Indian Territory

Sept 3d 1896
Application of
Margarette Hickle

original

Hon. Dawes Comsn. Greeting:

I am a Cherokee freedman and entitled to citizenship in the Cherokee Nation as such freedman under the laws and treaties of said nation with the U. S. Government. I am 56 years old and I was born and raised in the Cherokee Nation Ind. Terry. as the slave of Col. Lewis or Jack Ellis a Cherokee citizen, whose wifes name was Sallie Ellis I was Their Slave in Feby. 1863 hence in The Cherokee nation, Ind. Terry.. I was here in 1866 and have resided or lived here ever since and made this (Cherokee Nation) my home and know no other place as home.
The following comprises my family now living. Viz:

Margarette	Hickle	age	56 yrs	Mother
Viola	Williams	"	41	" Daughter
John	Hickle	"	39	" Son
Spicard	"	"	37	" "
Gittie	Millen	"	26	" Daughter
Cora	Foreman	"	24	" "
Oceola	Hickle	"	22	" Son

Children of Viola Williams
James Williams aged 7 yrs G. Son

Speard Hickle children

Nancy	"	age 14 years		G.	Daughter
Leatta	"	"	12 "	G.	"
Willie	"	"	10 "	G.	Son
Lanie	"	"	8 "	G.	Daughter
Ocie	"	"	6 "	G.	Son
Maggie	"	"	4 "	G.	Daughter

John Hickle children

Eliza Hickle	age 8 years	old		G.	Daughter
Cordelia	"	"	4 "	" G.	"
Elias	"	"	3 "	" G.	Son

These embrace me and my entire family of children and grand children now alive and entitled to enrollment as cherokee freedmen, 17 in all. And as such applicant shall ever pray.

her
Margaurette Hickle
mark

witness
J B Butler

Signed and sworn to before me on this Sept. 8. 1896.

Chatcau. Jud. Dist. } D. P. Bledsoe
Northern Jud. Dist. } Notary Public

REGISTRY RECEIPT.

Post Office at Choteau. I.T.

Registered Letter Parcel } No. 41 Rec'd Sept 6, 1896,

of I. P. Bledsaw.

a Letter

addressed to S. H. Mayes.

Tahlequah. I.T

M. E. Adams, P. M.

REGISTRY RECEIPT.

Post Office at Choteau. I.T.

Registered Letter Parcel } No. 42 Rec'd Sept 8, 1896

of I. P. Bledsaw

a Letter

addressed to Samuel H. Mayes

Tahlequah. I.T

M. E. Adams, P. M.

REGISTRY RECEIPT.

Post Office at Choteau. I.T.

Registered Letter Parcel } No. 43 Rec'd Sept 8, 1896

of I. P. Bledsaw.

a Letter

addressed to Samuel H. Mayes

M. E. Adams, P. M.

REGISTRY RECEIPT.

Post Office at Choteau. I.T.

Registered Letter Parcel } No. 44 Rec'd Sept 8, 1896,

of I. P. Bledsaw.

a Letter

addressed to Dawes Commission,

Vinita. I.T.

M. E. Adams, P. M.

End

5517

5517 B 433

Nation's No. 2310

Commission's No .....

In re Application of

Charley Groome

et al

Demurrer and Answer.

SEPT. 21 1906
A. S. McKENNON
Clerk

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Charley Groves et al

Nation's No 2810

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Millie Clark through whom the petitioner claim to derive a right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings & Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this, the 23 day of Sept. 1896.

J. J. Ball

NOTARY PUBLIC.

Copy of Affidavit
Matilda Isaacs
and
Miley Randle -
Re le Morton &c
Celly's

State of N. C. County of Madison
This day personally appeared before me
a Notary Public in and for the County
& State aforesaid Matilda Groves
age 48 years. who being by me duly sworn
according to law deposes and says.
in relation to the Cherokee blood.
in Thomas H Ramsey. as follows.
That his name should have been
Thomas H Grooms. instead of
Thomas H Ramsey' because his
father was a Grooms. he was
raised by a man by the name
J Ramsey. from his infancy and
was called. after his name
and his Grand Mothers maiden
name was Millie Melony and
we have heard her say that she
had Cherokee blood. in her and
this was generally understood
among all who was acquainted
with her Affiants father states
that said Milly Grooms. wife
of Solomon Grooms. the grand
Mother of Thomas H Ramsey
showed. by her face that she
had Indian blood in her.

witness J M Ramsey
witness Jesse "

her
Matilda + Groves (seal)
Milly mark × Revelle (seal)

State of Ark
County of Crawford }
I Certify that this is a copy of a copy of
an affidavit of Matilda Gaswell and
Millie Rudette Evidence in the Hall & Grooms
claim for Citizenship in the Cherokee Nation
this the 31 day of Aug 1896

J L Wood Clk
commiss Entered Feb 20/94

Sworn and Subscribed before
me this the 4 day of June 1892.
and I Certify that I read the
foregoing Affidavit to them and
fully acquainted them with
its Contents before swearing
thereto

A. J. McQuill
Notary Public

Offices
~~Horton Effects~~
Effects

A. le Morton & Co
Allys

Mary Commission Expires Feb 20/55

State of Arkansas and County of Crawford
This day personaly appeard befor me a Notary Public
within the above named County Jabith Epperson
Aged 64 years old who being duly sworn according
to Law Disposes and Says that She was the wife of
Thomas H Ramsey or Thomas H Grooms the said Thomas
H Grooms was Raise by a man by the name of
Ramsey and the said Thomas H Grooms allways went
by the name of Ramsey he is adopted Father and that
She has heard Thomas H Ramsey or Grooms he
husband Say that he was and Indian by Blood
a Great many times and he had Black Eyes and
Black hair and his Beard was Black and Thin on
his face and his Actions and Habits was Like that
of an Indian and Early Disease that he was
Part Indian By Blood
and the affiant further that She had two children
by the Thomas H Ramsey Charles Ramsey and
Martitia Hill

This the 30 day of December 1893

Jabith her Epperson [seal]
mark

witness J. N. Hill

witness Martitia Hill

State of Ark
County of Crawford
Subscribed and Sworn to before me this
the 30 day of Dec 1893 and I certify that
I Red the fore going affidavit to her and
read her acquainted with its contents be
for She Executed it

J. C. Wood notary Public
my commission Expires Feb 20/97

Filed for Record
Dec 30th 1893 at 3 o'clock P.M.
Recorded in Misc Book No 6
Page

Copy of Affidavit
of John Grooms
and
Joseph Campbell
in the Hill and
Nelson claim
&c. &c. Morton &
Allyn

State of Tenn
County of Leacre } SS.

Personally appeared before me a Notary Public for said County. John Grooms age 70 years. a resident of Leacre County Tenn. who after being sworn states in relation to the Cherokee blood. of him self and family that he is a half brother of Thomas T. Ramsey who migrated from Tenn Kentucky and died. That our Father Name was George Grooms who lived and died in the State of N.C.; our grand Mother whose maiden Name was Millie Lefore was an Aunt of John & William Lefore. and a Sister to there Father Geo Lefore. I have heard my grand Mother often talk of her Indian blood. My Father always Claimed to have Indian blood in him. and I have always Claimed to have Cherokee in me. and from what he has always heard his grand Mother and his Father say. he has reason to and does believe that his grand Mother was Closely Connected by

State of Ark
County of Crawford }
I certify that this is a true copyy of an affidavit
John Greens Evidence in the Hill and Greens
claime for citizenship in the Cherokee
Nation I J this the 31 day of Aug 1896

J C Wood & C
commiss Ex Ofice Feb 20/96

State of Texas
County of Leacre } ss.

Personally appeared before me a Notary Public for said County. John Grooms age 70 years. a resident of Leacre County Texas. who after being sworn states in relation to the Cherokee blood. of his self and family that he is a half brother of Thomas T. Ramsey who migrated from Texas Kaufmacy and died. That our Father Name was George Grooms who lived and died in the state of N.C. our grand Mother whos maiden Name was Millie Leacre was an Aunt of John & William Leacre. and a Sister to there Father Geo Leacre. how heard my grand Mother of him talk of her Indian blood. my Father always Claimed to have Indian blood in him. and I have always Claimed to have Cherokee in me. and from what he has always heard his grand Mother and his Father say. he has reason to and does believe that his grand Mother was closely connected by

blood to a Cherokee family formely
of Cherokee Co N. C. my half brother
Thomas H Ramsey was so Called by a family
of Ramseys. having raised him from
a Child. His right and proper
name was or should have been
Thomas H Groomes. instead
of Thomas H Ramsey.
Dec 29th 1891

his
John X Groomes
mark

Witness to John Johnson
Signature D.L. Malwood.

Also personally appeared before me
Joseph Campbell age 74 who states upon
oath that he was well acquainted with
George Groomes. and he always claimed and
was recognized in his Community as having
Cherokee blood in him by his mother side

Joseph Campbell

Sworn to and Subscribed before me this
29 day of Dec 1891 and that Joseph
Campbell & John Groomes is personally
known to me & that they are Creditable
persons.

W. W. Buber
Notary Public

State of Ark
County of Crawford }
I certify that this is a true copy of an affidavit
John Grooms Evidence in the Hill and Grooms
claim for citizenship in the Cherokee
Nation dd this the 31 day of Aug 1896

J C Wood ex o
commission Expires Feb 22 1900

Petition of
Charles Stevens

to E. B. Morton & co
attys

Rejected

To the Hon Dawes Commission

Our Citizenship in the
five Civilized tribes in the Indian
Territory. Your Petitioner respectfully
States that he is a Cherokee Indian
by blood and are to be enrolled
as a member of the Cherokee
Nation of Indians in the Indian
Territory and that he derives his
said Indian blood from his
Father Thomas H Ramsey who was
a Cherokee Indian by blood. Ges
~~Ramsey~~ Groomes was my Grand
Father. and my Fathers Father. my
Grand Fathers Mother maiden name
was Millie Ward who was a
Cherokee by blood. My grand Mother
died when my Father Thomas H Romsey
was an infant. and a man by the
name of Romsey raised him and
and he ware his name. but his
legle and proper name is Thomas
H Groomes. As my legle and
proper name is Charley ~~Groomes~~ Ramsey but
I have always been called Ramsey..
Your obedient Petitioner state the above
facts as his lawful ground for
his application for Citizenship in

the Choctaw Nation and says that
this claim will be fully investigated
by Your Hon Commission and
that he is adjudged as a Citizen
of said Indian Nation and
entitled to all the rights and
privileges pertaining to such
Citizenship in accordance with
the laws and treaties with
said Nation & Decisions.
I am 29 years old. and live
in the Creek Nation. P.O. address
Eufaula I.T. I married
to Said Johnson in the year
1895 Name I that marriage
being one Child Name as follows.
Perley M Grooms age 11 months.
Witness J. L. Turner Charley L Grooms
Witness J. N. Hill

State of Ark
County of Crawford
Subscribed and sworn to before me
this the 18th day of Aug 1896
J. C. Wood N.P.
Commission Expires Feb 20/97

5517

No 1901

Martelia Hill
v
Cherokee Nation

Filed 7 Sept 1896.
K. M. Doenan
Clerk

Rejected

C. C. Morton & Co. Atty
Muscogee
I.T.

To the Hon Dawes Commission

Our Citizenship in the five Civilized tribes in the Indian Territory your petitioner respectfully States that she is a Cherokee Indian by blood and ask to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. and that she derives her said Indian blood from her father Thomas H Ramsey who was a Cherokee Indian by blood. George Groomes was my grand father and my fathers father. My grand fathers maiden name was Millie Lecorse who was a Cherokee by blood. my grand Mother died when my father Thomas H Ramsey was an infant and a man by the name of Ramsey raised him and he wore his name. but his right and proper name is Thomas H Grooms. to my maiden name was Mortilia Grooms. but was always Called Ramsey until I married. J. N. Hill.

Your Petitioner states the above facts as her lawful ground for her Application for Citizenship in the Cherokee

born

Nation and prays that his claim
may be fully investigated by
Your Hon Commission and that
he be adjudged as a Citizen of
said Indian Nation and
entitled to all the rights and
privileges pertaining to such
Citizenship in accordance with
the laws and treaties with
said Nation & Indians.
& and is years of age & married
to J. N. Hill in the year
1888. That & that marriage
there two Children names as
follows.
Tina A Hill age 5 years
Lela M " 3 " "
Mortimer Hill
Witness J. L. Turner.
Witness Daniel Hol-
State of Ark
County of Crawford
Subscribed and sworn to before me this the 24
day of Aug 1896 J. C. Wood Clk
Commission Expires Feb 20 1897

End

5516

Indian Territory .

Northern District ,

On the 8th day of Sept I896, personally came before me a Notary Public Mildred Wear and being sworn states that she is of lawful age and that she did on this day register by mail to the Hon, S H Mayes Principal Chief of theCheokee Nation the application of Melton Hill and family for enro llment by thr U S Commission , with the affidavit s of Lewis Coody and Ben Grimmett attached

Mildred C. Wear.

Sworn to and sudscribed before me this the 8th day of Sept,. 1896

Fred Metzger
Notary Public

My Com. expires
Dec. 11th 1899

REGISTRY RECEIPT.

Post Office at Sequata I T

Registered Letter Parcel No. 103 Rec'd 9/8 1896

of Mildred Wear
Sequata I T

addressed to Hon S. H. Mayes
Tahlequah I T

P. M.

Application of Melton Hall and family for enrollment as citizens of the Cherokee Nation

To the Honerable .

The U,S, Commission

The undersigned your partitioner would respectfully present that he for himself and family was before the late war "Free Colord Preson"and resided in the Cherokee Nation in the year 1859. and has con tinued to live and reside in the Cherokee Nation since that date ,and by the Ninth Article of the Treaty of July 19th 1866. and by the constitution of the Cheokee Nationhe and his family are entitled to enrollment . By your Commission as citizens of the Cherokee Nation that his family consists of himself ,

Melton Hill , age 55years,

Harrison Hill age 28 yeary.

James Hill age 22 years

Hayes Hill age 19 years

John Hill age 15 years

Nannie Hill age 3 years .

Lockey Robinson age 32 years .

James Robinson age 24 years .

The last two being his sisters sons ,and a part of his family on the same conditions .She having d en a free colard person and entittled to citizenship in the Cherokee Nation the same as applicant .

Therefore he for himself and the others herein named respectfully make

application for enrollment as proveded by the said constitution,Treaty, and the act of Congress creatingyour body

Witness to mark — Lizy Melton × Hill mark

W.S. Irwin

Mildred Near

Indian Territory .

NorthernDistrict.

On the 8th of Sept ,1896. Personally came before me Fred Metzner a Notacy Public in and for saib Territory sand District Melton Hilland being sworn states that the foregoing statement and the matter set up in the applicatn are true and cerrect and that he subscribed to the same

Witness my hand and seal of office this the 8th day of Sept , 1896.

Fred Metzner

Notary Public

My Com. expires

Dec. 11th 1899

AFFIDAVIT .

Indian Territory,

Northern District,

On the 8th day of September I896. personally came before me Fred Metzener a Notary Public ,in and for said District and Territory Ben Grimmettand being sworn states that he is of lawful age ,and that his post office is Nowata I, T. and that he is a recognised citizen of the Cherokee Nation and that he is personally acquainted with Melton Hill ,and has known him since I863. And in I866,when he , (affiant) came from Ft, Scott. Kas, the said Milten Hill lived in the Cherok e Nation near the Neosho river and that said Milton Hill has resided in the Cherokee Nation ever since I866. And at present is living in the Cherokee Nation , Post Office Ringo

Witness to mark
Mildred Mear
Lily Jaccuit

his
Ben x Grimmett
mark

Sworn to and subscribed this 8th day of Sept, I896,

Fred Metzner
Notary Public

My Com. ex.
Dec. 18th 1899

~~#4302~~
5518

Malton Hill
vs
Lakeside Net.

Filed Sept 9th 1896
H.M. Jacoway
Atty

Negro case

Reported
A.H. Norwood
Sanborn
F.J.

AFFIDAVIT.

Indian Territory . } ss
Northern District . }

On the 8th day of Sept, 1896. personally came before me Fred Metzener a Notary Public in and for said Territory and District , Lewis Coody who being sworn states that he resides near Nowata I, T, and is Sixty seven years of age and before the late war he was a slave of Richarb Coody and that he has lived in the Cherokee Nation all his lifevand that he became acquainted with Milton Hill in 1861, and tha the said Hill was a free colard person at that time , and made his home in the Cherokee Nation that he has lived at various places in the Cherokee Nation since 1861. and lives now near Ringo I.T.

Witness to mark
Mildred Mear
Lily Tarvin.

his
Lewis x Coody
mark

Sworn to and subscribed defore me this 8 day of Sep. 1896

Fred Metzner
Notary Public

My Com. ex.
Dec. 11th 1899

End

5519

No 5519

Cynthia A Brought &c
vs.
Cherokee Nation

Order of Appeal
U.S. Court

61434

NOTICE.

158

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Cyntha A. Brought et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Cyntha A. Brought et als

to be enrolled as citizens of the Cherokee Nation, from said Commission to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 7th day of Jan. 1897 A.D. 189.

J. A. Mumford Clerk.

End

0545

5520 B 434

Nation's No. 1548

Commission's No. .....

In re Application of

John M. Yeargin

Demurrer and Answer.

FILED SEPT 25 1896.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

John M. Georgia

Nation's No. 658

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John B. Georgia through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bradford Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 18 day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

No 5520

Agnes Hoskins Et al

vs.

Cherokee Nation.

Order of Appeal
U.S. Court

6. 030

159

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Agnes Hockett et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Agnes Hockett et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 7th day of Jan 1897 A.D. 189 .

Clerk.

B R I E F.

Before the Homorable Commission of the United States of America duly appointed and eppowered to Act, under and by Virture of the Act of Congress of June 4" 1896, to hear and determine all Claims for Citizenship in the Five Civilized Tribes of Indian, to-wit:
Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the Matter of the application for Citizenship in the Cherokee Nation, of Robert W. Yeargin and John M, Yeargin, and their children, to-wit: Jasper V. Yeargin, Mary L. Yeargin, Thomas W. Yeargin, John L. Yeargin,Rosa E. Yeargin, all children of Robert W. Yeargin: And Mary L. Yeargin, Ella Yeargin and Edith Yeargin, all children of John M. Yeargin.

In order that the Homorable Commission may fully understand the merits of the Claims of Robert W. Yeargin and John M, Yeargin, we dem it necessaryy to present the genealogy of the said Claimants, Robert W. Yeargin and John M. Yeargin, who are the sons of Jasper Yeargin, and the nephews of Emiline Goodwin, nee Emiline Yeargin, in whose name they file their claim.

The said Robert W. Yeargin and John M. Yeargin, claim to be Cherokee Indians by blood according to the proof herewith submitted.

In the matter of the application for Citizenship in the Cherokee Nation, ofJasper V. Yeargin, Mary L. Yeargin, Thomas W. Yeargin, John L. Yeargin and Rosa E. Yeargin, all children of Robert W. Yeargin, and claim to be Cherokee Indian by blood, according to the proof herewith submitted.

In the matter of the application for citizenship in the Cherokee Nation, of May L. Yeargin, Ella Yeargin and Edith Yeargin, all children of the said John M. Yeargin, and claim to be Cherokee Indians by blood,according to the proof herewith submitted.

Wherefore, the Claimants pray the Honorable Commission that after a fair and impartial investiagation of the proof herewith submitted,that you will adjudge them and their children aforementioned,, entitled to Citizenship in the Cherokee Nation; that you place the names of Claimants, together with the names of their children aforementioned, upon the Cherokee Rolls, and that you grant to them all the rights, privileges and immunities of citizens of the said CherokeeNation.

Hubbard Barbour & Watts
Counsel for Petitioners

End

5521

(Original)

Clementine L. Lattimore Et al
Petitioners
vs
Cherokee Nation Indian Tax
Respondents

REGISTRY RECEIPT.

Post Office at Roxton Tex

Registered Letter No. 21 Rec'd 9-8, 1896

of Clemintine L Lattimore

Roxton Tex

addressed to S.H. Mayes Governor or Chief

of the Cherokee Nation Tahlequah I.T.

James McKay, P.M.

original

Service Affidavit

State of Texas
County of Lamar

I J.P. Maxwell do solemnly swear that on the 8th day of Sept. A.D. 1896 I paid a package registered at the Post Office at Roxton, Texas addressed to S.H. Mayes, Governor or Chief of the Cherokee Nation Tahlequah Ind. Ter. that registry receipt No. 21 hereto attached is a receipt for said package which contains three copies of the applications of Clemintine L. Lattimore, et al and of the affidavits of J.P. Lillard and J.M. Lattimore in support of said claim which is hereto attached. That affiant has no interest in the prosecution of said claim. James P. Maxwell

Subscribed & Sworn to before me this

8th day of Sept. A.D. 1896. I further certify that said J O Maxwell is a creditable person and is entitled to full credit for truth and veracity.

George B. Whipple
Notary Public
In and for Lamar County, Texas.

My Com. expires the 31st day of May A.D. 1897

To Honorable Henry L Dawes, Frank
L. Armstrong A. B. McKennon & D.
Cabaniss and A B Montgomery United
States Commissioners authorized by
an act of Congress of June 4th 1896
to hear and determine Claims for
Citizenship in the Cherokee Nation.

In the case of Clementine L Lattimore Et al.

Gentlemen: Now comes B. F. Armonette for and in behalf of the
within named petitioners and appli-
cants and states that he is the attorney
for each of the several petitioners
whose names will herein after appear
to-gether with their heirs and lineal
descendants towit;

Clementine L Lattimore petitions as
Marked Exhibit "A" and attached to
petition

Names	Ages	Sex & Color	Relationship
Thos M Lattimore	25	Male	Grandson
John D. Lattimore	23	"	" "
Robt E Lattimore	19	"	" "
Ella Lattimore	17	Female	Granddaughter
Saml L Lattimore	14	Male	Grandson
Willie Lattimore	12	"	" "
Aubrey Lattimore	11	"	" "
Ray Lattimore	6	"	" "
Delpha Lattimore	3	"	" "
Pearl Lattimore	5	Female	Great Grandaughter
Beulah Lattimore	1	"	" "

And in the prosecution of their Claims for enrollment upon the revised roll of the Cherokee Tribe of Indians to be prepared and perfected by Your Honorable Commission appointed under and by Virtue of an act of Congress approved June 4th 1896, and that each every and all of said petitioners and applicants herein and heretofore mentioned are Cherokee Indians by blood as he Verily believes and derives their Cherokee Indian blood from the same Stock or common ancestors

That the said petitioners and applicants and each of them mentioned are ~~related~~ the one to the other in either the lineal or collateral degree being descendents of the same blood and a lineal or collateral degree springing from the same Stock or Trunk: And I herewith in support of said petitioners and applicants as aforesaid submit the evidence hereto attached to-wit Affidavit of J. P. Lickins marked Exhibit "B" and affidavit J M Lattimore marked Exhibit "C"

And make reference to as a part hereof the different rolls of the Cherokee Tribe of Indians and especially that of 1835.

Compiled, in the State of Texas which your petitioners believes will show the Name of Joseph Ware an Ancestor of those for whom this Application is made

Wherefor Your petitioners for the reasons herein before mentioned would most respectfully pray that Your Honorable Commission allow a Joinder of all the said petitioners heretofore named and attached to our petition and action as well also as that each of said applicants and their heirs body begotten be placed upon the revised roll of the Cherokee Indians and their entitled to share in the distributions of funds and in the allotments of lands [redacted] in the Cherokee Nation by virtue of their Cherokee Indian blood

(original)

B. F. Armonette
Attorney for Petitioners

Subscribed & Sworn to before me this 8th day of Sept A.D. 1896
George T. Whipple
Notary Public
In and for Lamar
County Texas
My Com Expires the 31st day of May 1897

Application for Enrollment
Before the United States Commissioners
to the five Civilized Tribes of Indians

Clementine L. Lattimore Et. Al } Application
Vs Petitioners } for admittance
Cherokee Nation Indian Territory } to Enrollment
Respondents }

To the above named Honorable Commission Comes petitioner Clementine L Lattimore States that her father Joseph Ware was a Cherokee Indian by blood That Joseph Ware lived in McMinn County Tennessee, was burned in the year of 1817 in the State of Tennessee and died in the year of our Lord 1863 in McMinn County Tennessee. That said Joseph Ware was her father. That said Joseph Ware was duly recognized by the Chief of the Cherokee Indians as an Indian by blood. and by the Cherokee Indians as a Cherokee Indian by blood. and that the said Joseph Ware's name showed upon the duly authenticated rolls of the said Cherokee Indians. Especially that part compiled in the year of 1835 —

That petitioner and her bodily heirs are lineal descendants of said Joseph Ware That said petitioner intermarried Joseph M Lattimore in Tennessee in the year of 1870 and became Clementine L Lattimore and from said marriage there were born unto said Joseph M Lattimore and Clementine L. Lattimore the following Children Jonah J for. M. Lattimore, John S Lattimore Robt E. Lat

original

timore, Ella Lattimore Saml Lattimore
Willie Lattimore Aubrey Lattimore
Ray Lattimore, & Dixie Lattimore.

That Thos. M. Lattimore the above named Son of your petitioner intermaried Nettie Buchanan of Gramin County Texas in the Year of our Lord 1890 and from Said Marriage there were borned unto Said Thos M. Lattimore the following named Children Towit- Pearl & Birdie Lattimore That all of Said Children are living in Lamar County Texas Except Thos M Lattimore and his two children Pearl & Birdie, are Living in Gramin County Texas

That under the Constitution laws usages and Customes of Said ~~of the said~~ Cherokee Nation Indian Territory and the laws of the United States and Treaties with said Indians, That your Said petitioners are entitled to be admitted and enrolled as citizens and members of Said Cherokee Tribe of Indians in the Indian Territory and entitled to all the rights benefits privileges and immunities of other Cherokee Indians by blood

That there are now living legal descendants of your petitioner Clemintine L Lattimore persons as follows Towit

Names.	Ages	Sex	Relationship to Joseph Ware
Thos. M. Lattimore	25	male	Grandson
John D Lattimore	23	"	" "
Robt E Lattimore	19	"	" "
Ella Lattimore	17	Female	Granddaughter
Saml Lattimore	14	Male	Grand Son
Willie Lattimore	12	"	" "

(original)

Aubry Lattimore	11	male	Grandson
Roy Lattimore	6	"	"
Effie Lattimore	3	"	"
Pearl Lattimore	5	Female	Great Grand Daughter
Birdie Lattimore	1	"	" " "

Wherefore the premises considered your petitioner prays that her name with those of her said Children and Grand Children as above named, be admitted in to said Cherokee Nation and enrolled as citizens thereof.

Clementine Lattimore

Subscribed and sworn to before me this 8th day of Sept 1896.

George B. Whipple
Notary Public
In for Lamar County Texas

My Com. Expires 31st day of May 1897

Affidavit of Witness

In the matter of: Petition and Memorial of Clementine L. Tallmore, for Admission to Citizenship in the Cherokee Nation.

State of Texas
County of Lamar } Before me, the undersigned a Notary Public in and for Lamar County and State aforesaid, personally appeared J.P. Tillard. Who after being by me duly sworn states.

That he is 51 years of age, and a resident of the State of Texas and County of Lamar and his Post office address is Roxton Lamar County Texas. That he is personally acquainted with Clementine L. Tallmore. Who is an applicant for Citizenship in the Cherokee Nation. Affiant further states. I knew Joseph Ware in Tennessee for about 10 years and know that he and his Children were recognized to be Cherokees by Blood. And affiant further states that the neighborhood in which he lived always spoke of the said Joseph Ware as having Cherokee Blood. I further know that the said Clementine L. Tallmore was the daughter of the said Joseph Ware. That the said Joseph Ware was a citizen of McMinn County Tennessee during my acquaintance with him. And Affiant further states: That he has known the said Clementine L. Tallmore for the past 14 years, and know that she has been and is recognized by her neighbors, acquaintances and the Public generally as having Cherokee Indian Blood. And that the Complexion and

(original)

physical appearance of the said Clemintine
L. Lattimore indicat that- She is of-
Cherokee Indian Blood and descent-
Affiant- further state. that- from the above
facts and circumstances. And from what- he
has heard and knows of the family of the
said Joseph Ware. He believes the said
Clemintine L. Lattimore to be a descendant
by blood of the Cherokee Indian tribe. and
a lineal descendant of the said Joseph Ware

witness J.P. Mayweee

J. P. Lillard

Subscribed and sworn to before me this 9th
day of Sept- 1896.

George B. Whipple
Notary Public
Lamar County Texas

my Commission
expires May 31st 1897.

(Original)

Affidavit of Witness

In the matter of petition and memorial of Clemintine L. Lattimore for admission to Citizenship in the Cherokee nation

State of Texas
County of Lamar } Before me the undersigned a Notary Public in and for Lamar County and State aforesaid. personally appeared Joseph M Lattimore who. after being by me duly Sworn States. That he is 51 Years of Age. and a resident of the state of Texas and County of Lamar and his Post Office address is Roxton Lamar County Texas.

That he is the husband of the applicant Clemintine L. Lattimore for Citizenship in the Cherokee nation. Affiant further States. I Knew Joseph Ware in Tennessee for about ten years. and Know that he was recognized by his neighbors and the Public Generally as having Cherokee Blood. Affiant further state that his wife is the daughter of Joseph Ware. That the said Joseph Ware lived in McMinn County Tennessee during his acquaintance with him. And that Affiant and said applicant were married in McMinn County in the State of Tennessee in the year 1870. affiant further states that from the Complexion. physical appearance of the said Joseph Ware and his children that they are of Cherokee Indian Blood and descent. That from the above facts and circumstance and from what he has heard and Knows of the family of

the said Joseph Ware. he believes the said Clemmitine I. Lattimore to be a descendant by blood of the Cherokee Indian tribe, and a lineal descendent of the said Joseph Ware

Joseph M Lattimore

Subscribed and sworn to before me this 7th day of. September 1896.

George B Whipple
Notary Public
Lamar County Texas

my Commision
expires May 31st 1897.

~~4017~~

~~854~~ 5521

Clementine L. Lattimore et al

vs

Cherokee Nation

FILED SEPT. 9 1893

A. S. McKENNON

COM'R

Abated

End

1

Nation's No. 2376

Commission's No .....

In re Application of

Ulick D Lindsey

Demurrer and Answer.

FILED SEPT 18 1896. ☆
[illegible]

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Ulrich D. Lindsey

for citizenship in the Cherokee Nation.

Nation's No. 2376

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Drulon through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof. And that the applicant has abandoned her relations & live beyond the limits of said Cherokee Nation, that the fact that she has held enrolment in the Cherokee Nation without being entitled to citizenship in said Nation she is entitled to citizenship in said Nation

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hosking & Broadnax, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 22 day of Sept. 1896.

D. J. Bale

Commission to the Five Civilized Tribes.

VINITA, IND. TER., ... 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, Samuel A Pruett, do solemnly swear that on the 6 day of September, 1896, I saw a package registered at the postoffice at Tulsa Ind. Ty., addressed to the Executive Department Governor ~~or Chief~~ of the Cherokee Nation, Ind. Ter., that registry receipt, No. 77, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Lilah D Lindsay and of the affidavits of Jack D Burgess and Tilley J Hodges in support of same.

S. A. Pruett

Subscribed and sworn to before me, on this 7th day of Sept, 1896.

Wm P. Mc Nees Notary Public

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

Lilah D Lindsey
For the Commission.

No proof of service on chief

REGISTRY RECEIPT.

Post Office at Tulsa I. T.

Registered Letter Parcel No. 77 Rec'd Sept 6 1896

of L. D. Lindsey
Vinita I. T.

addressed to Executive Department
Tahlequah I. T.

J. H. McAlester
P.M.

N

Duplicate

Tulsa Indian Territory
Sept 6th 1876

Hon Henry L Dawes
United States Indian Commissioner
Visiting Cherokee Nation I.T.

Gentlemen

I am a Cherokee by blood. My Father John Denton dec'd who lived and died in the Cherokee Nation was a duly recognized Citizen of said Nation he was an old Soldier Cherokee I am his only surviving heir. I draw his portion in the late old Soldier Pay made by Hon D M Wisdom United States Indian Agent. My father and Mother both died while I was Young I was sent to School. And was Absent mostly Years. On my return I married and settled down in the Creek Nation. About two Years ago I wrote to the Executive Department of the Cherokee Nation Asking what I should do to be enrolled with the people - I got no reply thereto presently I wrote a similar letter to the head of the Cherokee Nation. And have still not received reply thereto I have an Uncle an Aunt and Cousins

who are duly recognized Citizens
of the Cherokee Nation & have a
Place in Sec. No. 36 as per Dist
of said Nation I believe I am
entitled to enrollment among
My Fathers people and Respectfully
Submit my case for Your consideration
Your commission will find
Additional evidence corroborative of
the above facts.

L.D. Lindsey

Lilah D Lindsey

Sworn and subscribed before
me this 5th day of Sept 1896

My term will expire
July 18th 1899

Wm F Mc[illegible]
Notary Public

Tulsa Ind Terry.
Sept [redacted] 1896

In the matter of Deliah Drenton
Lindsey application for Cherokee
Enrollment. Personally appeared
before me a Notary Public in and
for this Commissioned Dist of
Indian Territory. Mary J. Hodge
who being duly sworn [redacted] upon h oath
My name is Mary J Hodge I am
a Cherokee by blood and enrollment
My age is 46 Years I live in Tulsa
Creek Nation I have known Mrs
Deliah Drenton Lindsey from her Childhood
I know her to be a Cherokee by
blood. I was with her at the old settlers
Cherokee payment at Claremore
Cherokee Nation and saw her
draw her Fathers - John Drenton -
Share in said payment. I know
her people who reside in the Cherokee Nation
who are citizens of said Nation.
I have heard Mrs Lindsey Statement
read and corborate the same - Except
as relates to her correspondence with
The Cherokee Nation of this I have
no personal knowledge

Attest
L.H. Sadler
S.U. Crosby

Mary J Hodge her
mark.

Sworn and subscribed before
me this 5th day of Sept 1896

Jno T. Mason
Notary Public

Tulsa Ind. Terry
September 5th 1896

In the Matter of Delisle Denton Lindsey
Application for Cherokee Enrollment
Personally appeared before me a
Notary public in and for the Territory
aforesaid Jack S. Burgess
who being duly sworn says, I am
I am 38 Years of age
and a Cherokee by blood and
right. I have known Delisle Denton
Lindsey from her childhood - I know
her to be a Cherokee by blood and
to be the identical person she
represents herself to be. I have read her
statement and fully corborate the same
Except as relates to her connection
with the Cherokee Nation - of that - I
have no personal knowledge - I
reside in the Cherokee Nation near
Tulsa Creek Nation

Attest: L.W. Lindsey

J. S. Burgess

Sworn and subscribed before me
this 5th day of Sept 1896

Wm P. Moore
Notary Public

I further certify that the above is a true
and correct duplicate of the original.

Wm P Moore
Notary Public

United States Indian Service,

UNION AGENCY,

MUSCOGEE, IND. TER., August 31,1896.

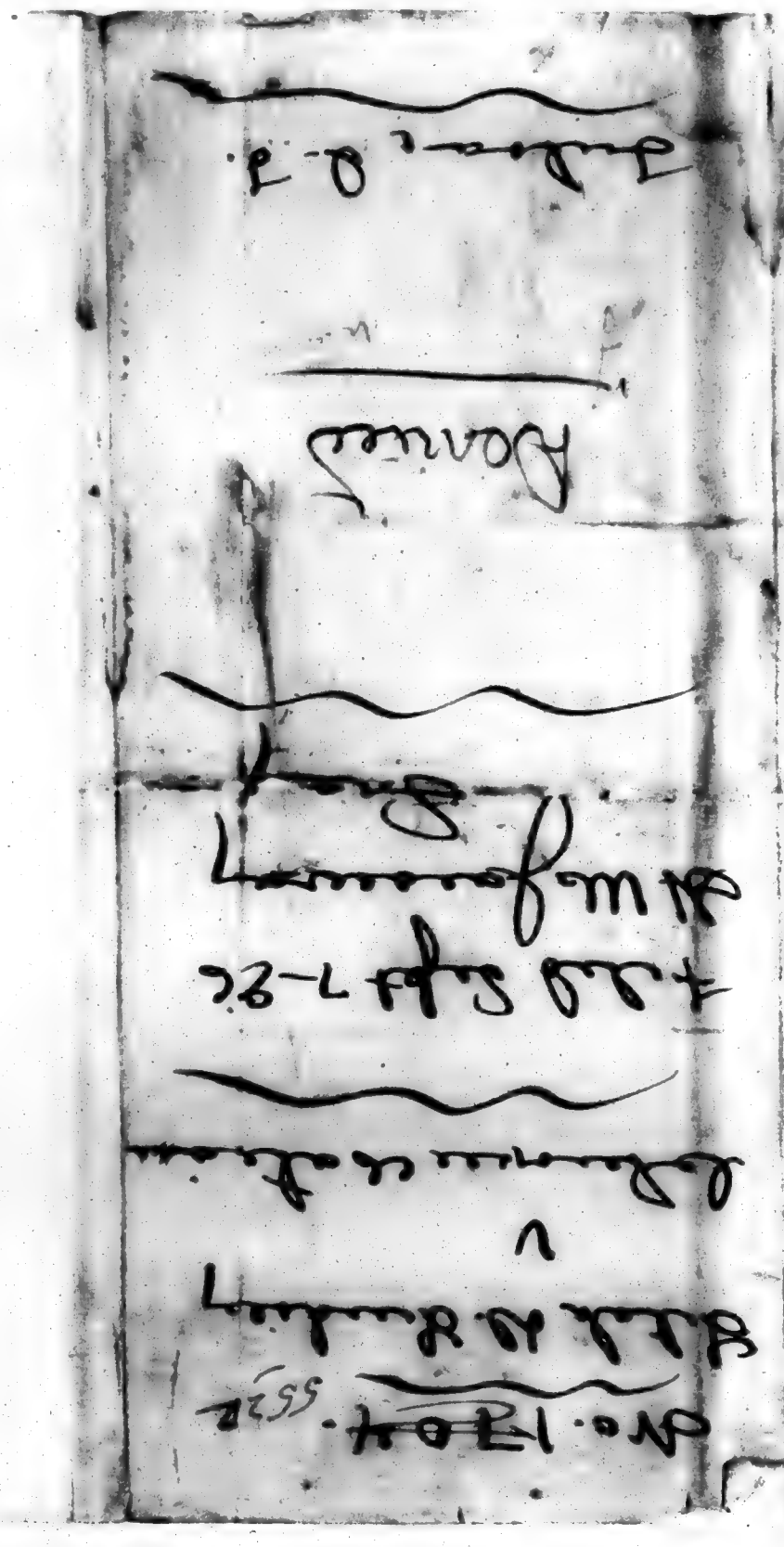
Delilah D. Lindsay,
Tulsa, Indian Territory.

- -

I, Dew M. Wisdom, Special Disbursing Officer of the Old Settler Cherokee Fund, hereby certify that Delilah D. Lindsay is registered on page 79 of the Old Settler Roll, under Agency Pay Number 1731,as the daughter of John Denton, deceased Old Settler Cherokee, and that I paid the full amount shown to be due her as such daughter of John Denton ($159.10) to said Delilah D. Lindsay on June 2,1896.

Dew M. Wisdom

Special Disbursing Officer Aforesaid.



11

EXECUTIVE DEPARTMENT,

CHEROKEE NATION.

TAHLEQUAH, INDIAN TER. August 27th 1896

Mrs Delcah Denton Lindsey
Tulsa I.T.

Dear madam

I have no authority to place your name on the choctaw rolls.

Respectfully
D.W. Mayes

End

Nation's No. 3540.

Commission's No. .....

In re Application of

R. F. M. Williamson, et al.

Demurrer and Answer.

FILED SEPT. 1896.
A. S. McKENNON
Clerk

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

R. W. M. Williamson, et al.

Nation's No. 3 3340.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Robert Berry through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

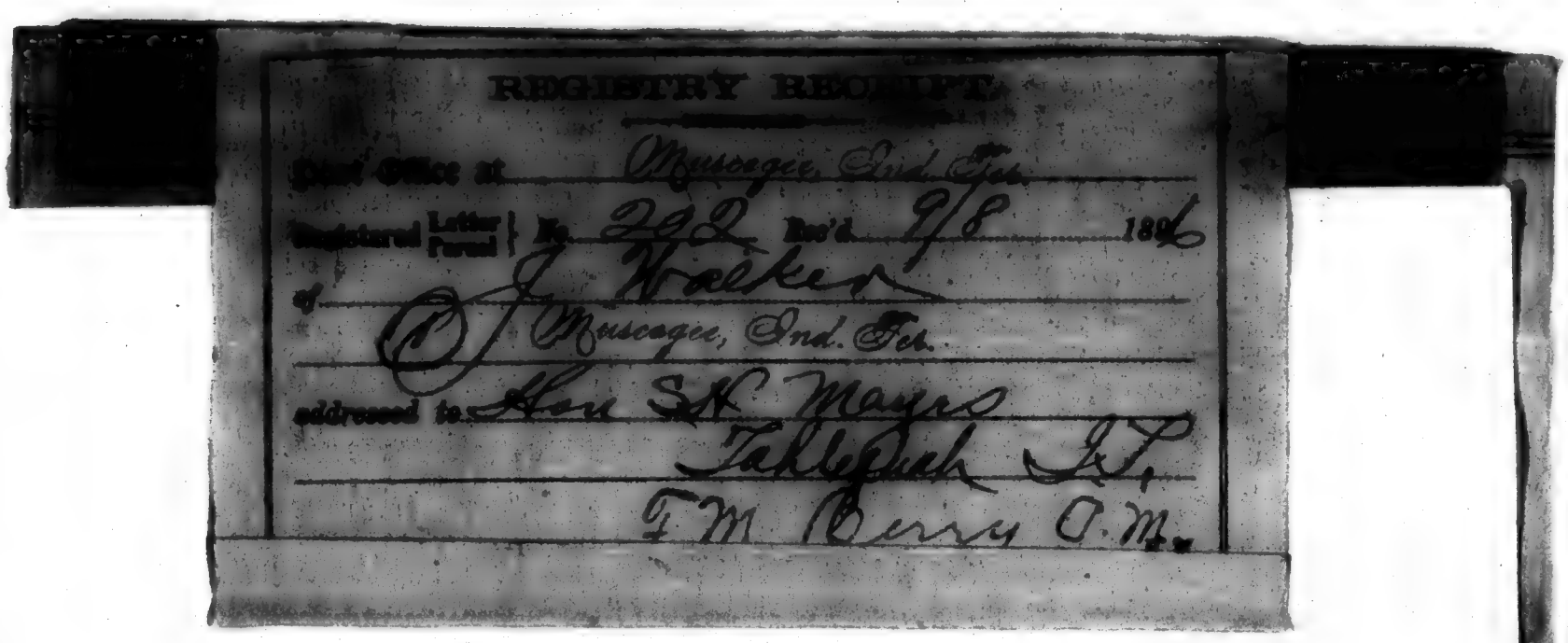
John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 24 day of Sept., 1896.

D. J. Ball

NOTARY PUBLIC.



REGISTRY RECEIPT

Post Office at Muscogee, Ind. Ter.

Registered Letter / Parcel | No. 292 Rec'd 9/8 1896

of J. Walker

Muscogee, Ind. Ter.

addressed to Hon S.K. Mayes

Tahlequah I.T.

T M Berry P.M.

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory

Northern District

I, Will E. Linton solemnly swear that on the 8 day of September 1904 I am a postage registered at the post office of Muscogee Indian territory addressed to the Hon. C. N. Hayes, ~~Successor~~ Principal Chief of the Cherokee Nation Tahlequah Indian Territory ~~aforesaid~~ That registry receipt No. 202 received from the Post master hereto attached is a receipt for said ~~paper~~ packages which contained true copies of the application of R. J. M. Wilkerson and ~~affidavits of identification~~

in support of the same.

Will E. Linton

Subscribed and sworn to before me this 8th day of September 1904.

John D. Kingsley

Notary Public

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, R. F. M. Williamson the, undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives his said Indian blood from Robert Berry his great great grand father, who was a Cherokee Indian by blood. by direct lineal descent as follows from said Robert Berry t o his daughter Annie Berry married to Thomas Williamson, thence to their son Thomas Williamson jr. and thnce to the son of the last named F. M Willimason the father of this applicant R. F. M. Williamson. and ask leave to refer to the testimony filed with the petition of his father H. M. Williamson in support of this case.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 33 years. My Post Office address is Muscogee I.T.

My family consists of the following-named persons: My children and children, as follows:

Mary Susan Williamson, aged 6 years,
Oscar Potter " " aged 3 years,
James Merlin " " aged 1 years,
, aged years,
, aged years,
, aged years,
, aged years,
, aged years,
, aged years,
, aged years.

WITNESS my hand this 5 day of Sept 1896.

R. F. M. Williamson

Indian Territory }
Eastern District } ss.

Personally appeared before me, the undersigned authority, R. F. M. Williamson to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

R. F. M. Williamson

Subscribed and sworn to before me at Muscogee I.T.
this 6th day of Sept A.D. 1896.

John L Brooks
Notary Public

End

5594

APPLICATION FOR CITIZENSHIP.

United States of America, Indian Territory, ss.

THE HON. HENRY L. DAWES, CHAIRMAN DAWES COMMISSION, VINITA, I. T.

Your petitioner, the undersigned, being duly sworn on his *oath, respectfully states that* his *name is* Joseph M. Sanders, *age* 37 *years. post office address* Sparta Mo; R. F. D. *and that* he *is and his wife* ~~Blood~~ by intermarriage *entitled by* Blood, *to citizenship in the Indian Territory for the following reasons:*

That he is the Great Grand Child of John Cooper who was a Cherokee Indian and who intermarri ed to Nancy Ann Riles in N. C. in the year 1786, and by this Marriage had (7) children to wit. William H, Polly, Deletha, (who is my Grand Mother) Henry, Berry, Narcise and Elizabeth, Of these children, Deletha Cooper is my Grand Mother and was intermarried to Wilson, L. Nichols in Perry County Tenn, on or about the year 1832. Of their Marriage (12) children were born to wit: Arby Ninicy James B. Irvin M. Hulda, Eliza Jane, all now living and, Mary Caroline, Sarah Ann, William, Moses, Nancy, Thomas, and Josephine who are now decased, Of these children Arby Ninicy, the eldest child, is my mother was intermarried on or about the day of 1853, in Searcy County Ark, to S. M. Sanders and by this Marriage had (6) children to wit: John N, Jesse H. Joseph M, Elijah M. Amanda M, and Jasper O, all now living, Of these children I am the third child and was myself married to Martha J. Barnes in Christian County on the 4 day of July 1883 and by my marriage to the said Martha J. Barnes who is my present wife, I have children to wit, William E. Sanders.

now living and my lawful

children

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLEAR

That my family and relationship consists of the following named persons: My Wife,
Martha J. Saunders age 28 years, and my children, as follows:
William E. Saunders

And respectfully asks to be enrolled, together with each member of his family, as a member of the Choctaw Indians in the Indian Territory.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the said Choctaw Nation, and prays that his claim may be investigated by your honorable body and that ...he be adjudged to be a citizen of said Choctaw Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties made with the said Nation of Indians.

WITNESS my hand, on this 3 day of Sept. 1896.

Witnesses:
J. M. Gams
J. C. Bard

Joseph M. Saunders

SUBSCRIBED AND SWORN TO before me, the undersigned authority, on this the 3 day of Sept. 1896, and I certify that the Applicant is a responsible and creditable person worthy of belief, and that I am not interested in the matter to which this Application relates.

WITNESS my hand and seal of office on this 3 day of Sept. 1896.

W. T. Tyndall
Notary Public

My term expires Jan. 9th 1899


Sanford.
5834
J. M. Sanders
v.
Delinquent Claim
File No.
Office No.
Joseph M. Sanders 2nd Family
APPLICATION FOR CITIZENSHIP.
Rejected
FILED

Commission to the Five Civilized Tribes.

~~Sparta Mo~~

VINITA, IND. TER., Sept 7, 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, W. C. Barnes, do solemnly swear that on the 7 day of Sept, 1896, I saw a package registered at the postoffice at Sparta Mo addressed to ..... Governor or Chief of the Choctaw Nation, Atoka Ind. Ter., that registry receipt, No. 30, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Joseph N Sanders and of the affidavits of W. C. Barnes and ..... in support of same.

W. C. Barnes

Subscribed and sworn to before me, on this 8 day of Sept 1896.

my term Exp 25th Nov 24th 98 Charles B Fleeburgh

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

REGISTRY RECEIPT.

Post Office at Sparta Mo

Registered Letter / Parcel } No. 30 Rec'd Sept 7, 189c.

of J. M. Sanders
Sparta - Mo -

addressed to Gov. of Chactaw Nation I. T.
Atoka. I. T.

W. A. Ringle, P. M.

Sparta Mo.
Sept 7 - 96.

Sirs

I have this day fer. to You Duplicate of Mit and application for further proof. You will find it testimony of forty Illinois Saints. for any other information write Me.

Yours Truly
Joseph M Sanders

Christian County }
State of Missouri }

Before me, the undersigned, a Notary Public in and for the County and State aforesaid personally appeared Dr. E. Barnes who after being duly sworn states that he is 50 years of age and is a citizen of Christian County and State of Missouri and that he is personally acquainted with Joseph. M. Sanders and his family, who is an applicant for citizenship in the Chactaw Nation I. T., and affiant further states that the said Joseph M. Sanders is the identical person he represents himself to be, in his application for citizenship in said nation and that the said Joseph. M. Sanders is the lawful son of Polly Minerva Sanders, formerly Polly Minerva Nichols and daughter of Wilson. L. and Delitha Nichols, That the said Joseph. M. Sanders is the lawful husband of his present wife Martha J. Sanders and by their marriage have one children to wit: William Earsel Sanders

Affiant further states that he has known the said Joseph. M. Sanders for the past 37 years and knows that he is and and has been recognized and treated by his neighbors, acquaintances and the public generally as a person having Chactaw Indian blood: and that the complexion and physical appearance of the said Joseph. M. Sanders

indicate that the said Joseph. M. Sanders, is
of Indian blood. That from the above facts
and circumstances and from statements made to
me by the said Joseph. M. Sanders, Affiant
states that he has every reason to and does believe
that the said Joseph. M. Sanders is of Choctaw
Indian blood.

Affiant further states he has no interest
whatever in the prosecution of the claim of
the said Joseph. M. Sanders to citizenship
in the Choctaw Nation I. T.

W. E. Barney

Subscribed and sworn to before me this
the 3 day of Sept. 1896, and I further certify that
I am well acquainted with the said W. E. Barney
and know him to be a person of
credibility and of truth and veracity.

W. F. Tyndall.
Notary Public

Com. Expires Jan 9th 1897.

Affidavit of
Witness in Claim of
Joseph. M. Sanders for
Citizenship in Choctaw
Nation Ind. Ty.

Affidavit of

Witness in Claim of

Joseph M. Sanders Age 42 years
for Citizenship in Choctaw
Nation Sworn to.

End

5525



United States of America,
Indian Territory,
Northern District.

I, Henry Clay Barritt, of Vinita, Ind. Ter., do solemnly swear that on the 7 day of September, 1896, I saw a package registered at the postoffice at Vinita, Ind. Ter., addressed to S. H. Mayes, Principal Chief of the Cherokee Nation, Tahlequah, Ind. Ter., and that registry receipt No 347, received from postmaster and hereto attached is a receipt for said package, which contained true copies of the application of David P. Meadows, Martha ann Huggins & Elizabeth Meadows

and

and of the affidavits of Wm Meadows
Thomas J Hanleson
Elizabeth Huggins

in support of same.

H. C. Barritt

Subscribed and sworn to before me on this 7 day of September, 1896.

[illegible]

REGISTRY RECEIPT.

Post Office at VINITA, Cherokee Nation, Ind. Ter. SEP 7 1896

Registered Letter / Parcel No. 347. Rec'd ..., 189 .

of J W Harris

addressed to J H Mayes
Tahlequah I T
P. M.

2

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLEED

THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned David J Meadows makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That he is the Son of one Elizabeth Meadows and the Grand Son of one Daniel Riley and the Great grand Son of one [illegible] who your petitioner firmly believes was a Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is 42 years of age, his postoffice address is Saint Patrick Ga., and his family by virtue of Cherokee Indian blood is as follows:

1. John age 12. [illegible] James C.
wife 30
Mr. more C.N. Thompson is a citizen of Cherokee nation. Sat regular I.T. His mother draws money at Murphy N.C.

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

David J Meadows
By J. W. HARRIS, JR., Attorney.

STATE OF Florida, COUNTY OF Nassau

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

David J Meadows

Sworn to and subscribed before me this August 25, 1896, and I hereby certify that petitioner is known to me as the identical person represented in his petition and is a person of good character and worthy of credit.

William Landrum U.S.C.

Georgia
Wilkes County } I. M. J. Smith,
Clerk of the
Superior Court
in and for said County
certify that William Dawson,
Jr., is an acting Notary
Public, in and for said
County, now in commission,
and that his acts as such
are entitled to full faith
and credit, and that his
signature to the papers
here to attached as such
is genuine. Given under
my hand and seal of
office. This 28th day of
August 1896.

M. J. Smith, C.S.C.

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Marthaann Huggins makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Elizabeth Meadows and the granddaughter of one Nancy Rider and the great granddaughter of one Nancy Rider who your petitioner firmly believes was an Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is 41 years of age, his postoffice address is Union, Ga., and her family by virtue of Cherokee Indian blood is as follows:

1. James L. (Husband) age 29. 2. Julia age 9.
3. John age 7. 4 Sarah age 5. 5. Lizzie age 2.
My Mother lives at Murphy, N.C. My GF. Caleb S. Thornton resides at Tahlequah I.T.,

Marthaann huggins

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Marthaann huggins

By J. W. Harris, Jr., Attorney.

STATE OF Georgia, COUNTY OF Union

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Sworn to and subscribed before me this August 27, 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

A B McBurney J.P.

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Elizabeth Meadows makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That She is the daughter of one Nancy Rider and the grand daughter of one Rider and the great grand daughter of one Caleb Starr who your petitioner firmly believes was Ker Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is 29 years of age, his postoffice address is Quitman, Ga., and her family by virtue of Cherokee Indian blood is as follows:

1. William (Husband) age 76. Good age 49.
2 Mary Jane age 44. ~~Illegible~~ Live Drewn Mississippi four times ah Kentucky N.C. My mother Caleb D. Thompson, resides at Tahlequah. I.T. Mother age 40.

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Elizabeth Meadows

By J. W. Harris, Jr., Attorney.

STATE OF Georgia, COUNTY OF Mitchell

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

Elizabeth Meadows

Sworn to and subscribed before me this August 27, 1900, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

A B Mercer J.P.

Georgia
Macon County } I. M. J. Smith, Clerk of the Superior Court in and for said County, certify that G. B. McRee, is an acting Justice of the Peace in and for said county, now in commission, and that his acts as such are entitled to full faith and credit, and that his signature as such to the paper hereto attached is genuine. Given under my hand and seal of office, this 28th day of August 1896.

M. J. Smith, C.S.C.

1

State of Georgia **, County of** Union

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared William Meadows who after being duly sworn by me, states that he is 76 years old, and is a citizen of Union Co. Georgia and that he is personally acquainted with Elizabeth Meadows who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Elizabeth Meadows is the identical person she represents her self to be in her application for such citizenship.

I am also personally acquainted with Sarah, Morcha anh, & L. J. Meadows who are Children of Elizabeth Meadows. I was present at Murphy N.C. when Elizabeth drew money. I drew at one time for her On account of her being unable to be present

Affiant further states that he has known the said Elizabeth Meadows for the past 50 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Elizabeth Meadows indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Elizabeth Meadows is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said Elizabeth Meadows to citizenship in the Cherokee Nation, I. T.

William Meadows

Sworn to and subscribed before me this the 27 day of Aug 1896, and I further certify that I am well acquainted with affiant and know him to be of good character and well worthy of credit.

A B Moore J.P.

R

1

State of Georgia **, County of** Union

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Thomas J Harrison who after being duly sworn by me, states that he is 77 years old, and is a citizen of Blairsville, Union Co Ga, and that he is personally acquainted with Elizabeth Meadows who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Elizabeth Meadows is the identical person she represents her self to be in her application for such citizenship.

Was acquainted with David Thompson father of Applicant. Came at an acquainted with David T. Sarah. Martha ann and Morg Jane. Children of Elizabeth Meadows.

Affiant further states that he has known the said Elizabeth meadows for the past 40 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Elizabeth Meadows indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Elizabeth Meadows is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said Elizabeth Meadows, to citizenship in the Cherokee Nation, I. T.

Thomas J. Harrison

Sworn to and subscribed before me this the 28 day of Aug 1896, and I further certify that I am well acquainted with affiant and know him to be of good character and well worthy of credit.

M. J. Supinter, U.S.C.C.
of Union Co. Ga

5

State of Georgia **, County of** Union

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Elizabeth Huggins who after being duly sworn by me, states that She is 88 years old, and is a citizen of Union County, Ga., and that She is personally acquainted with Elizabeth Meadows who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Elizabeth Meadows is the identical person She represents Her self to be in Her application for such citizenship.

Was also personally acquainted with Sarah, Mortimore, and D. F. Meadows children of Elizabeth Meadows and know that they are the persons they represent themselves to be in their Application for citizenship.

Also Mary Jane.

Affiant further states that She has known the said Elizabeth Meadows for the past 48 years and knows that She has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said Elizabeth Meadows indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said Elizabeth Meadows is of genuine Indian blood. Affiant also swears that She has no interest in the prosecution of the claim of the said Elizabeth Meadows to citizenship in the Cherokee Nation, I. T.

Rebecca Nicholson.

Wm. R. Nicholson

her
Elizabeth X Huggins
mark

Sworn to and subscribed before me this the 27 day of May 1896, and I further certify that I am well acquainted with affiant and know her to be of good character and well worthy of credit.

R. Billingsley

End

Nation's No. 4769

Commission's No._____

In re Application of

J. G. Harris

Demurrer and Answer.

FILED OCT,
H. M. JACOWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of.....
.....
.....
.....
for citizenship in the Cherokee Nation.

Nation's No.....

Commission's No.....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant.....is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that.....
.....through whom the petitioner.....claim to derive.....right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By.....Attorneys.

John B. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

.....

Subscribed and sworn to before me this, the.....day of.....1896.

.....
NOTARY PUBLIC.

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Mrs. J. G. Harris makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That she is the daughter of one Reuben Sanders and the grand " of one Pat " and the great " of one " who your petitioner firmly believes was a full blood Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived her Indian blood entitling her to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls of the Cherokees East of the Mississippi river.

Your petitioner is 56 years of age, his postoffice address is Euharlee, Ga. and her family by virtue of Cherokee Indian blood is as follows:

NAMES.	AGE	RELATIONSHIP.
J. G. Sanders	66	Husband.
James "	20	Son
Lula "	24	daughter
Tom "	22	"
Lizzie "	25	"

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

Mrs. J. G. Harris

By J. W. Harris, Jr., Attorney.

STATE OF Georgia, COUNTY OF Bartow

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God,

Witness A. B. Cannon U.P.P. Mrs. J. G. her Harris + mark

Sworn to and subscribed before me this 5th day of Sept., 1896, and I hereby certify that petitioner is known to me as the identical person represented in her petition and is a person of good character and worthy of credit.

A. B. Cannon U.P.C. & J.P.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GIVEN

VERIFICATION FOR CLERK'S

State of Georgia
Barton County } I, H H Roberts Clerk
of the Superior Court in and
for the aforesaid County and State do
Certify that N B Cannon Esq who has
signed his name to this Certificate was at the
time of so doing a Notary Public and
Ex Officio Justice of the Peace in and for
said County and State, duly Commissioned and
Sworn; that all his Official acts are
entitled to full faith and Credit, and that
his Signature thereunto is genuine —

Witness my hand and Seal of Office
This Sept 7th 1896
H H Roberts Clerk
Superior Court Barton County Georgia

1

The State of Georgia, Floyd County.

I, WM. E. BEYSIEGEL, Clerk of the Superior Court in and for said County, (said Court being a Court of Record), do hereby certify that J. L. Hardin whose name appears to the annexed Jurat is a Justice of the Peace in and for said County, duly qualified, commissioned and sworn, that his acts are entitled to full faith and credit, and that his signature is genuine.

Given under my hand and seal of Office, at Office, in the City of Rome, Georgia, this 5 day of Sept, 1896

Wm E Beysiegel Clerk.
Superior Court
Floyd Co Ga

[redacted]

blood Cherokee indian who was recognized to be a member of the Cherokee Tribe = The said Mrs Harris has all the racial features of an Indian and is recognized in the community where she lives as of Indian descent - We know these facts from personal knowledge having known them many years - The children of Mrs Harris are James - Lula - Tom - Lizzie - (4)

Affiant further states that they has known the said applicant for the past 40 years and know that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said applicant indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said applicant is of genuine Indian blood. Affiant also swears that they has no interest in the prosecution of the claim of the said applicant to citizenship in the Cherokee Nation, I. T.

her
M J Hall x mark

Sworn to and subscribed before me this the 5th day of Sept 1896,

and I further certify that I am well acquainted with affiant and know them to be of good character and well worthy of credit.

J. L. Hardin J.P.

The State of Georgia, Floyd County.

I, WM. E. BEYSIEGEL, Clerk of the Superior Court in and for said County, (said Court being a Court of Record), do hereby certify that L. L. Harden whose name appears to the annexed [illegible] is a Justice of the Peace in and for said County, duly qualified, commissioned and sworn, that his acts are entitled to full faith and credit, and that his signature is genuine.

Given under my hand and seal of Office, at Office, in the City of Rome, Georgia, this 5" day of Sept, 1896

Wm E Beysiegel Clerk.
Superior Court
Floyd County

State of [illegible]

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Mrs. Allie D. Hall who after being duly sworn by me, states that they are is 56 or 58 years old, and is a citizen of Floyd County and that they are is personally acquainted with Mrs. J. G. Harris who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Mrs Harris is the identical person she represents herself to be in her application for such citizenship.

That Mrs J.G. Harris is the wife of J.G. Harris & the daughter of Reuben Saunders & granddaughter of Pat. Saunders a full ~~& great granddaughter~~ blood Cherokee Indian who was recognized to be & was a member of the Cherokee Indian ~~blood~~ Tribe = The said Mrs Harris has all the racial features of an Indian and is recognized in the community where she lives as an Indian descendant. We know these facts from personal knowledge having known them many years - The children of Mrs Harris are James - Lula - Tom - Lizzie - (4)

Affiant further states that they has known the said applicant for the past 40 years and knows that she has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said applicant indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said applicant is of genuine Indian blood. Affiant also swears that they has no interest in the prosecution of the claim of the said applicant to citizenship in the Cherokee Nation, I. T.

Allie D Hall
M J Hall + mark

Sworn to and subscribed before me this the 5th day of Sept 1896,

and I further certify that I am well acquainted with affiant and know them to be of good character and well worthy of credit.

H. L. Hardin J.P.

United States of America,
Indian Territory,
Northern District.

I, ~~Henry Clay Barritt~~ J. M. Harris Jr, of Vinita, Ind. Ter., do solemnly swear that on the 9 day of September, 1896, I saw a package registered at the postoffice at Vinita, Ind. Ter., addressed to S. H. Mayes, Principal Chief of the Cherokee Nation, Tahlequah, Ind. Ter., and that registry receipt No. ....., received from postmaster and hereto attached is a receipt for said package, which contained true copies of the application of Mrs J. E. Harris

and

and of the affidavits of Thereto attached.

in support of same.

J. M. Harris Jr

Subscribed and sworn to before me on this 9th day of September, 1896.

O. D. Cleveland

My Com. Expires
March 6-1899

Post Office at VINITA,
Registered Letter No. 421 Rec'd SEP 9 1896 Cherokee Nation, Ind. Ter. 189
of J. M. Harris
addressed to Principal
Tahlequah
Ind Ter
P. M.

J. G. Harris

vs

Choctaw Nation

End

2527

Nation's No. 312

Commission's No

In re Application of

Mary Ann Walker
et al

Demurrer and Answer.

Filed Feb 7. 1896.
H. M. Peaway
Reg

efore the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Mary Ann Walker et al

Nation's No. 312

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant & are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mary McGirl through whom the petitioner & claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed hereto and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Dunlevy Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5th day of May 1896.

D. J. Faulk

NOTARY PUBLIC.

Wm. M. Walker under whom applicant claims

Copy.

Page 97, Docket of the Chamber's Commission on Citizenship.

160.

W. M. GOING.)
vs.)
CHEROKEE NATION.)

Set for September 12,78.

Continued to Oct 1st.

Submitted Oct 7th.

Decision adverse, Oct 22nd, 1878.

Copy.

Case of

WILLIAM MADISON GOING and JOHN GOING, Claiming CHEROKEE CITIZENSHIP by blood from mother's side before CHIEF JUSTICE VANN, of the SUPREME COURT CHEROKEE NATION, Nov. 11th, 1871.

John Still, being qualified, testifies: I knew claiant's father and mother. Their mother is said to be a Cherokee Indian. I heard this from Hannah Going, her mother, and grand-mother to claimants, who was married, so I have always understood, to a Cherokee by name of McGill, who was the father to claimant'a mother, as I have always understood.

The said Hannah Going from whom I got the above information lived in the Cherokee Nation, and also died here.

Wallace Ratley, sworn, testifies: I learned from my mother that claimant had the same right here that she had, as she knew their parents, and knew them to be Cherokees from what she learned.

----::O::----

ILLINOIS DISTRICT, C. N., December 9", 1874.

THIS IS TO CERTIFY that I, J. B. Chote, was a member of Council at Tahlequah in 1874, and the papers of the applicants for Citizenship of C. N., was laid on the table sealed and said to be rejected. There was a vote taken and part our without the readin the evidence.

J. B. Chote.

Wm. Bradley, Witness.

N. A. Bradley, Witness.

----::O::----

Personally appeared before me Herman J. Vann, clerk of the District and Circuit Courts of Canadian Dist. Cher. Nat., James Goins, and upon oath made statement to the effect that W. M. Goins is a Cherokee by blood, from the fact that his mother was a Cherokee by blood.

Copy.

Sworn to and subscribed before me this 27th day of Nov 1876.

H. J. Vann, Clerk Canadian Dist.

(Seal.) C. N.

——::O::——

Wallace Ratley's statement.

I saw and got acquainted with this William McGill in this country, and to the best of my knowledge he is a Cherokee, from the fact that he spoke the language very well, and his features and complexion satisfies me that he is a Cherokee, and so far as hair is concerned, he is got straight black hair. He is a brother to Betsy Turnover. He is Jack Still's uncle, and W. M. Gin's uncle. This I will swear to the best of my knowledge.

Wallace Ratley.

Sworn and subscribed before me this 3d day of February, 1875.

R. E. Blackstone,

District Clerk Cnandian District.

——::O::——

Case of Wm. Goin.

Wallace Ratley, of Illinois District, Cherokee Nation, after being qualified makes the following statement:

I have not much of a statement to make in regard to Mr. Goins, the applicant, except to the best of my belief he is a Cherokee. He (Wm. Goin) is a close relation of mine from both sides of the family connection.

The applicant had an uncle that came to this country and remained here sometime, who I believe to have been a Cherokee. I remember the said uncle to have talked the Cherokee language. I also remember to have heard it said that applicant's folks were born and raised in the

Copy.

Old Nation East, and that William Goin, applicant in this case, was also born and raised in said Nation.

I do not know of my own personal knowledge that the applicant is of Cherokee blood, only from what others have said, and what my relations have said.

Sworn to before me Sept 30th, 1875.

Geo. P. Sanders,

Clerk of Commission.

----::0::----

Case of Wm. K. Goin, applicant for citizenship.

Nathan Goin, after being sworn, makes the following declaration: I can only say that I have seen the applicant's gzand-father, and was told that he was a Cherokee Indian, but do not know of my own knowledge that he was, as I was but very small at the time, and was only informed that he was a Cherokee, and from his looks and appearance he undoubtedly must have been a Cherokee. The applicant's uncle spoke the Cherokee language very well, and was raised in the Old Cherokee, as was also the mother of applicant.

Martin Goin, being sworn, makes the following statement in the above application: I can only state that I was acquainted with the applicant's grand-father and father, as I lived very near them in the Old Nation, and was informed that they were part Cherokee, but could not swear that they were, but every said they were, and they passed for Cherokees. There was no objection made to them in the Old Nation as Cherokees, and they were allowed the rights and privileges of other Cherokee citizens in that country.

Copy.

Mrs. Ella Ratley, being sworn in the above case, makes this declaration: The grand-father of the applicant, Wm. M. Goin, was a half-blood Cherokee by name of Wm. McGill. There were six in the family descendants of the said Wm. McGill. The applicant is the only one of the family that has come to this country. I remember that the grand-father and family of the applicant was born and raised in the Old Cherokee Nation. The applicant, Wm. M. Gion, inherited his Cherokee blood from his mother who was a daughter of Wm. M. McGill, and who was named Cynthia. I do not know of my own personal knowledge what family the mother of Wm. McGill was or belonged to, as I had never seen her, but has seen and was acquainted with Wm. McGill. William McGill had one brother by name Roland McGill. William McGill's wife was not a white woman, but was said to be a descendant of some Indian tribe, but cannot say positively, but think she was of the Catawba tribe. William McGill, the grand-father of the applicant, lived some distance above Hiwassee, and am of the opinion that he lived on that portion of the country assigned by General Jackson in the treaty of , but he intended to move into the Cherokee Nation and was prevented by sickness, but afterwards moved into and was residing in the Old Nation when I left there and came to this country.

Question by the applicant. You are satisfied that I (applicant) have Cherokee blood in my veins? Answer: I am. Question by applicant: You know that I have a right in this Nation, do you not? Answer: I suppose you have, as your grand-father had a right in the Old Nation.

Nelly Hair, being sworn, makes this declaration in the case of William Goins: All I know about the case is that we have all been raised together (the Goins and herself) and have ever since my first

recollection known them to be Cherokees. I do not know from whom the applicant inherited his Indian blood as I was not acquainted with his father and mother, only have heard they were Cherokees, but I did not know of my own personal knowledge that they were Cherokees. I knew them in the Old Nation at what theycalled Long Savannah, near old Judge Brown's. I knew them to speak the Cherokee language very well, and also of enjoying Cherokee rights and privileges. I never heard their rights and Cherokee blood disputed at that time, or at any time.

Sworn to before me April 17th, 1873.

Geo. P. Sanders,

Clerk Court of Commission.

----::O::----

This day personally appeared before me R. E. Blackstone, Clerk of Canadian District, Cherokee Nation, Nelly Hair, who on oath states that she has known the family of W. M. Goins for thirty years and always considered them to be Cherokees, in the Old Nation, and they were recognized as Cherokees in the Old Nation, i. e. Hamilton County, East Tennessee, and ~~they~~ I never knew their claim to Cherokee blood disputed.

Witness:

Wm. Bradley.

P. C. Harris.

her
(Signed) Nelly X Hair.
mark.

Sworn to and subscribed before me this 9th day Dec. 1874.

R. E. Blackstone, Dist Clerk,

Canadian District, Cherokee Nation.

----::O::----

WM. M. GOINS,)
vs.)
CHEROKEE NATION.)

Nathan Goins, called and sworn for claimant, Sept 12th,

Copy.

I live on Viden in Illinois District, C. N. I am about 55 or 6 years old. I was born and raised in my father's family on Holstein River, East Tennessee. My father moved from there to Hamilton County, on Tenn.River, about 25 miles from Chattanooga. I knew claimant. I was 12 or 15 when I first knew him. I knew his mother. His mother's name was Cynthia McGill. I have seen her father. I saw him in Granger Co. He lived in my neighborhood. He looked like a half breed Cherokee. He looked like Mr. Tenn, the clerk of the Supreme Court. He was said to be a half-breed Cherokee. This was never disputed by a Cherokee while I knew him. The claimant was said to be Cherokee. His daughter also. I was not living in the Cherokee Nation at the time of the general emigration. I was living about 25 miles this side Tenn. River.

CROSS-EXAMINATION.

I am a second cousin to claimant on the Goins side. I knew grandmother of claimant. She was said to be of Catawba and Cherokee. I don't know what family of Cherokees Wm. McGill belonged. At the time I knew Wm. McGill it was not in the country, known as the Old Nation. He lived there till he died never having removed. It was about one hundred miles from where Wm. McGill lived to the Cherokee Nation. Witness had lived in that part of the Cherokee Nation in Tenn. from which the Cherokees emigrated to this country. It was from 5 to 8 years after the general emigration that I moved into that country. One of the McGill's sons came here. His name was William. I never knew a Wesley McGill. I have been here six years.

RE-DIRECT.

Grand-mother of claimant was living in Granger Co., Tenn., in my neighborhood when he knew Wm. McGill. She removed down into Hamilton

Copy.

County, Tenn. Her maiden name was Nancy Goins. McGill had another wife after parting. She was a white woman. This Wm. was of another woman entirely from those wives.

Nathan Goins.

Attest:

D. L. Nicholson, Clerk.

----::O::----

WM. M. Goins,)
vs.)
CHEROKEE NATION.)

Martin Goins was called for claimant: Witness knew Wm. McGill in East Tennessee on Holstein River. I was very small when I knew him. He had been living with a woman before I knew him, as his wife. Her name, maiden, was Nancy Goins. I knew claimant's mother. I left the Old Nation in 1853. Claimant's mother was a McGill, Cynthia by name. Bill McGill was said to be her father. Bill McGill acknowledged her to be his daughter. Nancy, after parting from Bill McGill, came down to Hiwassee, and there died. Cynthia was then a minor. Old Bill McGill was said to be of the old Cherokee stock or race. So far as witness ever knew Old Bill was always called a Cherokee. I have known claimant ever since he sucked. He was born in Old Nation, in East Tenn., in that part last ceded.

CROSS-EXAMINATION.

Wm. McGill was living in Granger County when I first knew him. This was 100 and 15 miles to wher the Cherokees were then living. I don't know where, or when, Nancy Goins and Wm McGill were married. I was among the Cherokee at the time of the general emigration. I am cousin to Nathan Goins. Client's grand-mother was aunt to witness. Witness' father never claimed to be a Cherokee. Claimant's grand-

mother might, or might not, have claimed Cherokee blood. Witness don't know from what Cherokee family claimant's Cherokee blood comes, but remembers that old Bill McGill was an Irishman. Old Bill McGill's wife belonged to the Cherokees, as that was the only one I saw or heard of. I don't know anything about the Catawbas. I am 62 years old. Old Bill McGill, the Irishman, was the great, grand-father of claimant.

Nathan Goins.

Attest:

D. L. Nicholson, Clerk.

Personally appeared before me Herman J. Vann, Clerk District and Circuit Court to Canadian District, C. N., Ellen Ratley, and states upon oath that she is personally acquainted with Wm. M. Goins and knows him to be a Cherokee by blood, from the fact that she knew his mother to be by blood a Cherokee. She furthermore states that she nursed him during childhood.

Sworn to and subscribed before me this 28th day of November, 1876.

H. J. Vann, Clerk Canadian District, C. N.

W.M.Goins.
vs
Cherokee Nation.

Jack Still. Witness for Claimant.
September 18th. 1896.

I live in Illinois District. C.N. I ama cherokee Citizen. I vote some times. I am acquainted with W.M.Goins. I have known him from my earliest recollections. Witness came here in the fall of 55,from Hamilton County. Tennessee,near the Tennessee River. This place was once a part of the Old Nation. I was born and raised there. Claimant lived there. We were boys together. I am a little the oldest. He was born and raised there also. His mother was Cyntha Goins. Her father was Wm. McGill. She looked like a common Cherokee. Tolerbly dark skin. I dont know what Nation Claimant and his mother belonged to unless it was the old Nation,where they were born and raised. I understand by Nation that it is a part of it,that belongs to the Cherokees. I dont really know what the Cherokee Nation.I call it Cherokee Nation because it belongs to the Cherokees. I think there remained Cherokees in the Old Nation. After the grand Emigration. I dont know what the people called the Goinses except Goins. They called Claimants mother a Cherokee. They,Claimant and mother,were called nothing else but Cherokees. The nothers'Cherokee blood came from her father. None of the McGills came to this country with witness. After I came here one of the McGills came here. He stopped at my house awhile This McGill was said to be a son of old Billy McGill. I only recognized him as a son of old Bill. So far as hear say,witness never saw old Billy McGill. I have no doubt about his being a McGill. This man was a half brother to witness'mother. I claim Cherokee blood from my mother and father both. I knew Betsy Turnover. She was a cherokee The McGill,spoken of above,son of Bill McGill,is a half brother of Betsy Turnover,of Hamilton County,Tenn. And it was a part of the "Old Nation" I live here as a Cherokee by blood. My rights have not been disputed by the Cherokee Authorities.

Cross-Examination.

I dont know where old Bill McGill lived. Except from hear say. I dont know from what Cherokee family old Bill McGill derived his Cherkee blood. I dont know how many in family of old Bill McGill.I dont

that old Bill McGill had any family or not. I am acquainted with Hannah Goins. She is a second cousin of Claimant. The name of Claimants'father was Carter Goins. Carter Goins was no cherokee. I have heard it talked all my life that Cyntha Gions,Claimants'wife was a Cherokee. I have heard her say that Claimants grand mother was a Cawtaba. I never knew one Wesley McGill. I dont know by my own personal knowledge that the Claimants is a cherokee or any one else. Hamliton County is on the East side of the Tennessee river.

Attest: D.S.Nicholson. Jack x Still.

Clerk.

I was too small to know of my own personal knowledge at the general Emigration,to know where Hamilton Co. was but believe it was in the old Cherokee Nation. From information,I am 43 years old.

Cherokee Nation. Illinois District. January 8th. 1875.

Statement of Mrs.Ratley.

I was acquainted with Wm.McGill in the old Cherokee Nation,that was a half breed Cherokee. He was born and raised and died in the old Cherokee Nation. I was also acquainted with his Children in the old cherokee nation and I know that they enjoyed Cherokee rights and privliges and their indian blood was never doubted or disputed. One of Wm. McGills'children lived with me after his death This W.M.Goins is a grand son of William McGill.I know this W.M.Goins was born and raised in the old Nation for I nursed him there and I have reasons to believe tha he is a cherokee. The fact that his mother and grand mother was.

This old Bill McGill had a son named Bill McGill that came to this country and stayed a short time. This young Bill McGill was a brother to Betsy Turnover and he spoke the Cherokee language tolerably well. He also is an uncle of Jack Stiles and an uncle of W.M.Ginn. This I have testified to and will again if called on to do so.

Ellen Ratley.

Sworn to and subscribed before me this the 3rd. day of February 1875.

R.E.Blackstone, Dist. Clerk. Canadian District. C.N.

EXECUTIVE DEPARTMENT OF
CHEROKEE NATION.

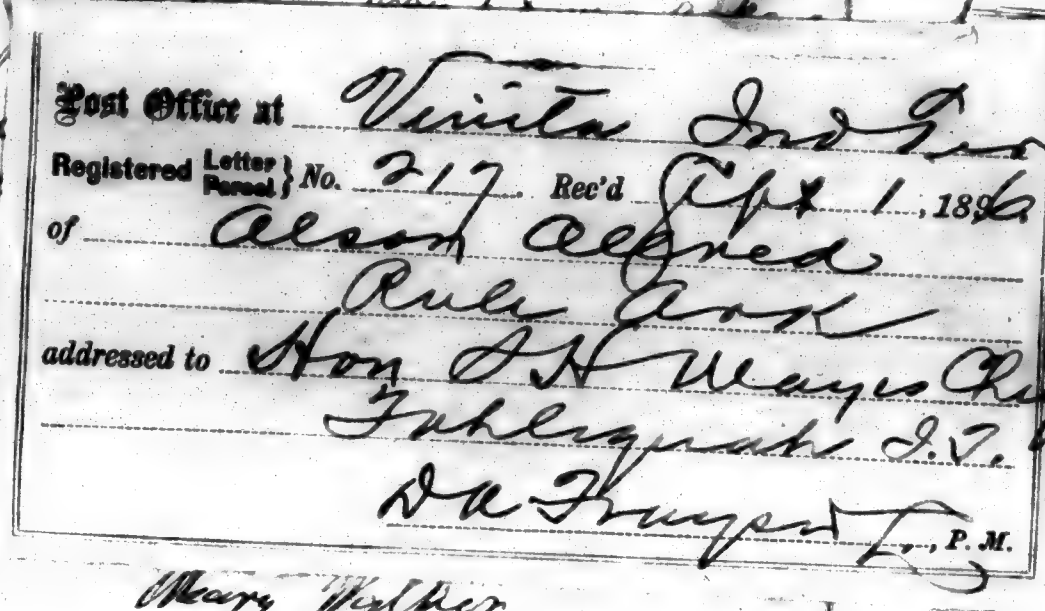
I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same are correct transcripts and copies therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 6th day of Feb. 1896.

John L. Adair
Executive Secretary.

Communication to the joint Cherokee Indian Council 1894

I E S Burrill do Solemly Swear that on the
Sixth day of
Registered Envelope addressed to Hon
Cherokee Nation
Registry receipt
for said package
of Mary Walker
Husband
and of Mary



Mary Walker

E S Burrill
Subscribed & sworn to before me
this 11th day of Sept A.D. 1896
M A Libbits
Notary Public
My Comm Ex March 1900

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT FILMED

Commission to the first Cherokee District Court 1844

I E S Purrill do Solemnly Swear that on the
fifth day of Sept 1844 I sent a Package
Registered Mail the Postoffice at Dwight Dist Ter
addressed to Hon S H Mayes Clerk of the
Cherokee Nation Tahlequah Ind. Ter. Mail-
Registry receipt No 217 which is attached to a Receipt
in said Package which contains true copies of the Application
of Mary Walker and her Children and
Husband
and of the Affidavid of
Mary Walker

E S Purrill

Subscribed & Sworn to before me
this 18th day of Sept AD 1896

M H Dibbles
Notary Public
My Com Ex Mar 1900

No

Proof of service

POOR ORIGINAL
BEST AVAILABLE COPY

Abe. Stallar husband aged 40 years
Margarete. T. Stallar a child " 17 "
John. A. Stallar " " 14 "
Edna M. Stallar " " 11 "
Petitioner being duly sworn this 27th day of
August A.D. 1926.

Mary her + mark Stallar.

State of Arkansas
County of Garland } ss.

Personally appeared before me the undersigned authority Mary Stallar to me known to be the petitioner in the above petition who being by me first duly sworn upon her oath

[redacted]

States

End

5528

Application of
Fonnie Harrison

Application for Enrollment

To The Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S McKennon, Thomas B Cabaniss, and Alexander B Montgomry. United States Commishioners authorized by an act of Congress of June 4. 1896 to hear and determine Claimes for citizenship in T. Cherokee Nation:

Gentlemen: The undersigned your petitioner L. C. Harrison for and on behalf of Fannie Harrison (my wife) This day makes this their application to you for the purpose of being placed on the revised roll of Cherokees Indians and of those entitled to share in the distribution of funds and allotments of land in the Cherokee Nation by virtue of her Cherokee blood and I here with submit the following proof Affidavits of Mrs Patience Watts, Ex Gov. R. B Hubbard S S Johnson, M J Whitman, James P Douglas, H. C. Huggins; J. B. Rosson and W Huggins in support of said Claim and respectfully await the time when

our application shall be heard and tried Respectfully Submitted
L C Harrison

Enrollment of family with relationship as follows

Names	age	Relationship
Fonnie Harrison	30	Daughter of Mary E Butler who was daughter of E E Lott who was son of John Lott - who was son of Solomon Lott and Nancy Lott who was Nancy Smith
L.C. Harrison	37	Husband of Fonnie Harrison

In witness of which I hereunto set my hand on this 24th. day of August 1896 Fonnie Harrison

Indian Territory }
Northern District }

Sworn to and Subscribed before me this the 24th. day of August 1896.
D. D. Elliott
Notary Public.

Northern District

Affidavit of
H. C. Huggins

OFFICIAL DIRECTORY OF SMITH COUNTY.

J. W. FITZGERALD, County Judge.

E. L. WALKER, County Attorney.

JNO. P. SMITH, Sheriff.

JOHN A. LOTT, County Clerk.

W. L. BOSTICK, Tax Assessor.

G. C. BURRUSS, District Clerk.

ED. B. WIGGINS, Tax Collector.

JOHN C. TARBUTTON, Treasurer.

MOSES PACE, Surveyor.

Tyler, Texas, ... 189

The State of Texas, } Before me, the undersigned authority
County of Smith } for this day personally appeared
H C Huggins known to me and who being
duly sworn deposes and says, That he is, and has
been personally acquainted with Jesse L
Singer, Tommy Harrison and W E Butler the
whole or greater part of their lives, and knows
them to be the children of Mary E Butler and Mary
E Butler was the daughter of Col E E Sett & Col E E
Sett was recognized among neighbors and ac-
quaintances as being part Indian
Witness

H C Huggins

Sworn to and subscribed before me this 11
day of Aug. 1876.

Jno A Sett clerk Co Ct
Smith Co
by Deputy W H Parker clerk

Bridavit of
J. Whitman

AFFIDAVIT OF HEIRSHIP

STATE OF Texas
COUNTY OF Smith

BEFORE ME, the undersigned, a [illegible], in and for the county and state aforesaid
on this day personally appeared [illegible] who after being by me
duly sworn, upon oath stated that [illegible] personally acquainted with
the [illegible] and that [illegible] and
states that the said [illegible] is the identical person [illegible]
[illegible] and [illegible] application for citizenship in said [illegible] and [illegible] said
[illegible] is the daughter of [illegible]
[illegible] and daughter of [illegible]
of [illegible] Smith County, Texas, and that [illegible]
[illegible] daughter of said [illegible] and [illegible]
[illegible] and [illegible] and [illegible]



The State of Texas.

County of Polk.

Before me the undersigned a Notary Public, in and for the County and State aforesaid, personally appeared Mrs. Patience Watts, who being by me duly ~~sworn~~, states that ~~she is~~ 68 years of age, and is a citizen of Polk County and State of Texas and that from heresay and general repute, she knows Mrs. Fonnie Harrison, who is an applicant for citizenship in the Cherokee Nation I. T. and affiant further states, that she has good reason to believe, and does believe, that the said Fonnie Harrison is the identical person she represents herself to be in her application for citizenship in said Nation, and that the said Fonnie Harrison is the daughter of Mary E. Butler (formerly Mary E. Lott) who was the daughter of E. E. Lott, who was the son of John Lott, who was the son of Solomon Lott and Nancy Lott (formerly Nancy Smith) and said Nancy Lott (formerly Nancy Smith) was a Cherokee Indian.

Affiant further states, that the said Solomon Lott and Nancy Smith were married in the State of South Carolina, and afterwards moved to near the Mouth of Pearl river. County in the State of Mississippi. That she knew the said Solomon Lott and wife Nancy , in the State of Mississippi for [illegible] years, and that they, the said Solomon Lott and wife, [illegible] in County in the State of Mississippi. The said Solomon Lott died about the year A. D. 18-- and the said [illegible] the year A. D. 18-- Affiant further states, that she knew the said John Lott and the said E. E. Lott in Yalobusha County in the State of Mississippi, and in Harrison County, in the State of Texas. The said John Lott died in Harrison County in the State of Texas, about the year A. D. 1865, and the said E. E. Lott died in Smith County , in the State of Texas, about the year A. D. 1882.

Affiant further states that she knew the said Mary E. Butler [illegible]

ly Mary E. Lott) in Smith County, Texas.

Affiant further states that the said Nancy Lott (formerly Nancy Smith) the said John Lott, E. E. Lott and Mary E Butler (formerly Mary E. Lott) and other descendants of the said Solomon Lott and wife Nancy were recognized and treated by their neighbors, acquaintances, and the public in general as persons having Cherokee Indian blood, and that the physical appearances and complexion of the said [illegible] (formerly Nancy Smith) John Lott, E. E. Lott and other descendants of the said Nancy Lott indicated that they were of Indian blood.

That from the above facts and circumstances, Affiant believes, that she has good reason to believe, and does believe that the said Fannie Harrison is of Cherokee Indian blood. Affiant further states that she has no interest in the prosecution of the claim of the said Fannie Harrison to citizenship in the Cherokee Nation I. T.

Patience Watts

Subscribed and sworn to before me this 17th day of July, 1896, and I further certify that I am well acquainted with the said Patience Watts, and know her to be a person of credibility and of good veracity

J. C. Fraqua. Notary Public
Polk County, Texas.

My Commission expires on the 1st. day of June A. D. [illegible]

MORGAN LIBRARY
STORM KING ART SCHOOL
MORGANVILLE, N.J.

Application of
Emil Kasimir
for
Citizenship
Filed Sept 2 - 1896
Decl

No

PETITION OF

for and on behalf of

Jno A Lott

and heirs

Walbert Garland

and Watts

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, John A Lott

for and on behalf of [illegible]

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavits of Patience Watts. R. B. Hubbard – S. S. Johnson – and James P. Douglas, M J Whitman H C Buggins & J B Rogers and W J Buggins.

in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted

Jno A Lott

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
Jno A Lott	46	Son of E E Lott who was son of John Lott " " " " Solomon Lott X Nancy Lott formaly Nancy Smith
Lucy L. Lott	34	Wife of John A Lott
Lucille Lott	14	Daughter of " " "
Everett Lott	9	Son " " " "

In witness of which I hereunto set my hand on this 18 day of Aug 1896.

Jno A Lott

State of Texas } On this day Aug. 18th 1896 personally appeared before me, a District
County of Smith } Clerk in and for Smith Co. Texas
Jas. A Lattimore who is well known to me and
who deposes and says upon oath that the
foregoing statements with reference to ages & relationship of parties named are true and
correct.

witness my hand and official seal this August 18, 1896.

Geo C Burruss
clk Dist Ct Smith Co Tex

Affidavit of
Mrs Patience Pratt

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Polk } ss.

Before Me, *the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared* Mrs Patience Watts *who after being by me duly sworn states that* She *is* 87 *years of age, and a citizen of* Polk *County and state of* Texas *and that* she *is personally acquainted with* John A Lott *Who is an applicant for citizenship in the* Cherokee *Nation, I. T., and affiant further states that the said* John A. Lott *is the identical person* he *represents* himself *to be in* his *application for citizenship in said Nation and that the said* John A Lott *is* the son of Everett E Lott. who was the son of John Lott who was the son of Solomon Lott and Nancy Lott formerly Nancy Smith and the said Nancy Smith was a Cherokee Indian

Affiant further states that she *has known the said* John A Lott *for the past* 30 *years and knows that* he *is and has been recognized and treated by* his *neighbors, acquaintances and the public generally, as a person having* Cherokee *Indian blood; and that the complexion and physical appearance of the said* John A. Lott *indicate that the said* John A Lott *is of Indian blood. That from the above facts and circumstances and from statements made to* her *by the said* John A Lott *and others Affiant states* she *has every reason to believe, and does believe that the said* John A Lott *is of* Cherokee *Indian blood.*

Affiant further states that She *has no interest whatever in the prosecution of the claim of the said* John A Lott *to citizenship in the* Cherokee *Nation, I. T.*

Patience her + mark Watts.

Subscribed and sworn to before me this 14th *day of* December *A. D. 189*4
and I further certify that I am well acquainted with the said Mrs. Patience Watts.
and know her *to be a person of credibility and of truth and veracity.*

J C Ferguson
Notary Public. Polk Co Texas

My commission expires on the first *day of* June *189*5.

Joseph P. Byers, Attorney at Law.

Affidavit of
James P. Douglas

AFFIDAVIT OF WITNESS.

STATE OF Tyrrell }
COUNTY OF Smith } ss.

Before Me, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared J R Douglas who after being by me duly sworn states that he is 58 years of age, and a citizen of Smith County and state of Tyrrell and that he is personally acquainted with John A Lott

Who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John A Lott is the identical person he represents himself to be in his application for citizenship in said Nation and that the said John A Lott is the Son of E E Lott with whom affiant was intimately acquainted from about the year 1832 until his death in 1864. The Complexion and general appearance of the said E E Lott, indicated that he was a person having indian blood. He the said E E Lott so claimed and represented that he was related to the Cherokee indians, and it was generally understood among the people that he had indian blood

Affiant further states that he has known the said John A Lott for the past 25 years and knows that he is and has been recognized and treated by his neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood; and that the complexion and physical appearance of the said John A Lott indicate that the said John A Lott is of Indian blood. That from the above facts and circumstances and from statements made to him by the said John A Lott Affiant states he has every reason to believe, and does believe that the said John A Lott is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John A Lott to citizenship in the Cherokee Nation, I. T.

James P. Douglas

Subscribed and sworn to before me this 26" day of January A. D. 1894 and I further certify that I am well acquainted with the said James P. Douglas and know him to be a person of credibility and of truth and veracity.

John McQueen
Co. Clerk Smith Co. Tex.
Byd McQueen Deputy.

My commission expires on the ____ day of ____

Joseph P. Byers, Attorney at Law.

Affidavit of
S. S. Johnson

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Smith } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared S S Johnson who after being by me duly sworn states that he is 53 years of age, and is a citizen of Smith County and State of Texas, and that he is personally acquainted with John A Lott

Who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said John A Lott is the identical person he represents himself to be in his application for citizenship in said Nation and that the said John A Lott is the son E. E. Lott, with whom affiant was intimately acquainted from about the year 1857 until his death in 1864. The complexion and general appearance of the said E E Lott indicated that he was a person having indian blood, and it was generally understood among the people who knew him, that he had indian blood, that he knows said John A Lott to be the son of said E E Lott,

Affiant further states that he has known the said Jno A Lott for the past 35 years and knows that he is and has been recognized and treated by neighbors, acquaintances and the public generally as a person having Cherokee Indian blood, and that the complexion and physical appearance of the said Jno A Lott indicate that the said Jno A Lott is of Indian blood. That from the above facts and circumstances and from statements made to him by the said E E Lott Affiant states and has every reason to believe that the said John A Lott is of Cherokee Indian blood.

Affiant further states that he he has no interest whatever in the prosecution of the claim of the said John A Lott to citizenship in the Cherokee Nation, I. T.

S S Johnson

Subscribed and sworn to before me this 16 day of January A. D., 1894 and I further certify that I am well acquainted with the said S S Johnson and know him to be a person of credibility and of truth and veracity.

Jeff D Burns Notary Public.

My Commission Expires on 31st day of May 1894

Affidavit of
Ex Gov. R. B. Hubbard

AFFIDAVIT OF WITNESS.

STATE OF Texas }
COUNTY OF Smith } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared R B Hubbard who after being by me duly sworn states that he is fifty one years of age, and is a citizen of Smith County and State of Texas and that he is personally acquainted with Jno A Lott Who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Jno A Lott is the identical person he represents himself to be in his application for citizenship in said Nation and that the said John A Lott is the son of the late Col E E Lott of Texas, whom Affiant knew intimately for many years — from about 1852 to his death in 1864. His complexion and general appearance indicate Indian blood and he always recognized in the said John A Lott who the son of Col E E Lott

Affiant further states that he has known the said John A Lott for the past 35 years and knows that he is and has been recognized and treated by neighbors, acquaintances and the public generally as a person having Cherokee Indian blood, and that the complexion and physical appearance of the said Jno A Lott indicate that the said John A Lott is of Indian blood. That from the above facts and circumstances and from statements made to me by the said E E Lott Affiant states he has every reason to believe that the said John A Lott is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said John A Lott to citizenship in the Cherokee Nation, I. T.

R B Hubbard

Subscribed and sworn to before me this 7th day of Dec A D, 1894 and I further certify that I am well acquainted with the said R B Hubbard and know to be a person of credibility and of truth and veracity.

Jeff D. Bums Notary Public. Smith Co Texas

My Commission Expires on 31st day of May 1897

Joseph P. Byers, Attorney at Law.

TEMPO JOB PRINT, FT. SMITH.

Application
of
Jno. A. Lott

Dismd

OFFICE OF

L. C. HARRISON,

MANUFACTURER OF

Hay Bale Ties, Galvanized Iron Cisterns, Tin and Metal Ware.

Piyor Creek, I. T.,.....189

No .....

PETITION OF

.....

for and on behalf of

A J Latt

and heirs

.....

.....

Attorney for Petitioner

.....

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, A. J. Lott for and on behalf of L. L. Lott. himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the following proof Affidavits of Mrs Patience Watts. Ex Gov R B Hubbard M J Whitman J P Douglas T J Trigg Bryan Marsh & Johnson N C Huggins and W J Huggins

in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted

A. J. Lott

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
Arthur Thomas Lott	50	Son of L & E Lott who was " " John Lott who was " " Solomon Lott and Nancy Lott (formaly Nancy Smith)
Jennie Lott	40	Wife of Arthur Thomas Lott
John Monroe Lott	15	Son of Arthur Thomas Lott
Willie Lott	11	daughter of Arthur Thomas Lott

In witness of which I hereunto set my hand on this 7th day of Aug 1896.

A. J. Lott

State of Louisiana }
Parish of Lincoln }

Before me J. N. Williams
Clk. Dist. Court - & Ex Officio
Notary Public in and for Lincoln Parish La.
On this day personally appeared Arthur Thomas
Lott known to me to be the person whose name
is subscribed to the within and foregoing instrument
and acknowledged to me that he Executed the same
for the purposes and consideration therein expressed
Given under my hand, and Seal of Office, at
Ruston Lincoln Parish La. this August - 7th A.D. 1896

J. N. Williams
Clk. Dist. Court
Ex Officio Notary
Public

OFFICE OF

L. C. HARRISON,

MANUFACTURER OF

Hay Bale Ties, Galvanized Iron Cisterns, Tin and Metal Ware.

Piyot Creek, I. T., ... 189

For additional proof see affidavits in Jno. A. Latta application

Affidavit of
Bryan Marsh

OFFICIAL

DIRECTORY OF SMITH COUNTY.

....J. W. FITZGERALD, County Judge....

E. L. WALKER, County Attorney. GEO. C. BURRUSS, District Clerk.
JNO. P. SMITH, Sheriff. ED. B. WIGGINS, Tax Collector.
JOHN A. LOTT, County Clerk. JOHN C. TARBUTTON, Treasurer.
W. L. BOSTICK, Tax Assessor. MOSES PACE, Surveyor.

Tyler, Texas, ... 189

The State of Texas } Before me, the
County of Smith } undersigned
authority on this day personally
appeared Bryan Marsh who,
being sworn, says, he has known
A. J. Lott the whole or greater part
of his life, and knows it to be a fact
that he, the said A. J. Lott is the
son of Col. E. E. Lott.

Bryan Marsh

Sworn to and subscribed before
me, this 19th day of August, 1896

Jno A Lott Clerk Co.
Smith Co Texas,
By W. H. Barker Dep

Affidavit of
T. J. Ivey

OFFICIAL

DIRECTORY OF SMITH COUNTY.

J. W. FITZGERALD, County Judge.

E. L. WALKER, County Attorney. GEO. C. BURRUSS, District Clerk.
JNO. P. SMITH, Sheriff. ED. B. WIGGINS, Tax Collector.
JOHN A. LOTT, County Clerk. JOHN C. TARBUTTON, Treasurer.
W. L. BOSTICK, Tax Assessor. MOSES PACE, Surveyor.

Tyler, Texas, ... 189

The State of Tx } Before me, the
Smith Co } undersigned
authority on this day personally
appeared F J Ivey, who being sworn,
deposes and says that the issues in
the suit of A. J. Lott is the son
of E. E. Lott.

F. J. Ivey

Sworn to and subscribed
before me, this 18th day of Aug, 1896

Jno A. Lott Clerk
Co Ct Smith Co Tx
By W J Parker
Dep

Application of
A. T. Latt

Denied

U. S. PATENT OFFICE.
MANUFACTURER OF
Hay Bale Ties. Galvanized Iron Clothpins. Tin and Metal Work.

No

PETITION OF

for and on behalf of

Jessie L Finger

and heirs

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, Jessie L Finger

for and on behalf of Jessie L. Finger

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavits of Patience Watts M. J. Whitman R B Hubbard S S Johnson J.B Douglass H.C Huggins J.B. Rosson as proof and M J Huggins as wit.

in support of said claim, and respectfully await the time when Same application shall be heard and tried.

Respectfully submitted

Jessie L Finger

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
Jessie L. Finger	34	Daughter of Mary E Butler who was Daughter of E E Latt who was son of John Latt who was son of Solomon Latt and Nancy Latt from male Nancy Smith.
Geo. N. Finger	39	Husband of Jessie L. Finger
Olin N Finger	13	Son of " "
Grace Finger	7	Daughter of " " "
Geo. N. Finger Jr.	5	Son of " " "

In witness of which I hereunto set my hand on this 15 day of Aug 1896.

Jessie L Finger

The State of Texas }
County of Travis } Personally appeared before
me, the undersigned authority, Jessie L Finger,
who being by me duly sworn, says that she
signed the above and foregoing affidavit, and
that the same is true in substance and in
fact and I hereby certify that the
said Jessie L Finger is known to me, and
that she is a credible person.

Given under my hands and seal of
office this August 6. 1896.

C. M. Calloway
Notary Public Travis Co
Texas

Affidavit of
Mrs Patience Walls

The State of Texas. }
County of Polk. } Before me, the undersigned, A Notary Public, in and for the county and State aforesaid, on this day, personally appeared Mrs. Patience Watts, who after being by me duly sworn states, that she is 87 years of age, and is a citizen of Polk county and State of Texas.

That from general repute and hearsay, she knows Mrs. Jessie L. Finger, wife of Geo. W. Finger and of Arlington, Tarrant county, Texas, who is an applicant for citizenship in the Cherokee Nation Indian Territory, and affiant further states that from general repute and hearsay, that she has good reason to believe and does verily believe, that the said Jessie L. Finger is the identical person she represents herself to be in her application, for citizenship in said Nation. And that the said Jessie L. Finger is the daughter of Mary E. Butler (formerly Mary E Lott) who was the daughter of E.C. Lott, who was the son of John Lott, who was the son of Solomon Lott and Nancy Lott (formerly Nancy Smith) and the said Nancy Smith was a Cherokee Indian.

Affiant further states that she was personally acquainted with the said Mary E Butler (formerly Mary E Lott) E.C. Lott, John Lott, Solomon Lott, and wife Nancy Lott (formerly Nancy Smith)

That she resided for a number of years, in the State of Mississippi, near the said Solomon Lott and wife Nancy Lott, and knew them personally.

That during all the time she knew the said Nancy Lott, (formerly Nancy Smith) she the said Nancy Lott, was recognized and treated by her neighbors, acquaintances and the public generally, as a person having Cherokee Indian blood and that the complexion and physical appearance of the

said Nancy Lott indicated that she, the said Nancy Lott was of Indian blood

That the complexion and physical appearance of the said John Lott, E.C. Lott. Mary E. Butler and other descendants of the said Solomon Lott and Nancy Lott indicated that they were of Indian blood.

That the said Solomon Lott and Nancy Lott both died in the State of Mississippi

That the said John Lott and E.C. Lott moved to Texas, about the year 1840

That the said John Lott died in Harrison county, Texas, about the year 1850

That the said E.C. Lott died in Smith county, Texas, about the year. 1864

That the said Mary E. Butler (formerly Mary E. Lott) Married Jesse Butler in Smith county Texas, about the year 18.56.-

That from the above facts, and other evidence within her own knowledge, and from general repute, affiant states, that she has good reason to believe, and does verily believe, that the said Jesse L. Finger is of Cherokee Indian blood

Affiant further states that she has no interest whatever in the prosecution of the claim of the said Jesse L. Finger to citizenship in the Cherokee Nation, Indian Territory.- Mrs Patience Watts

Subscribed and sworn to before me by the said Mrs. Patience Watts this 18th day of January A.D. 1894 and I further certify, that I am well acquainted with the said Mrs. Patience Watts and know her to be a person of credibility and of truth and veracity

J.C. Teague, Notary Public.
Polk County, Texas

My Commission expires on the 1st day of June A.D. 1895.

Affidavit of
Ex. Gov. R. B. Hubbard.

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Smith } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared R B Hubbard who after duly sworn states that he is 57 years of age, and is a citizen of Smith County and State of Texas, and that he personally acquainted with the Grandfather of Jessie L Finger

Who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Jessie L Finger is the identical person she represents herself to be in her application for citizenship in said Nation and that the said Jessie L Finger is the grand daughter of Hon E E Lott, formerly of Smith County Texas, deceased whose application for citizenship was rejected by the Dawes Commission on account of her failure to establish by Cherokee testimony that she had Cherokee blood and affiant knows that by Cherokee law and custom she is entitled to be enrolled

Affiant further states that ~~he knows the said~~ Jessie L Finger ~~for the past ... years and knows that she~~ and has been recognized and treated by her ~~neighbors, acquaintances and the public generally as a person having Cherokee Indian blood~~ and that the complexion and physical appearance of the said Jessie L Finger ~~indicate that the said Jessie L Finger is of Indian blood. That from the above facts and~~ circumstances and from statements made to me by others

Affiant states he has every reason to believe and does believe that the said Jessie L Finger is of Cherokee Indian blood being the grand daughter of E E Lott

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Jessie L Finger to citizenship in the Cherokee Nation, I. T.

R B Hubbard

Subscribed and sworn to before me this 7th day of January A. D., 1894

and I further certify that I am well acquainted with the said R B Hubbard and know him to be a person of credibility and of truth and veracity.

Jeff D Burns Notary Public.

My Commission Expires on the 21st day of May 1895

Joseph P. Byers, Attorney at Law.

Affidavit of
Dr. J. Huggins

AFFIDAVIT OF WITNESS.

STATE OF Texas
COUNTY OF Smith } ss.

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid personally appeared W J Huggins who after being by me duly sworn states that he is 71 years of age, and is a citizen of Smith County and State of Texas, and that he is personally acquainted with Jessie L Finger who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said Jessie L Finger is the identical person she represents her self to be in her application for citizenship in said Nation and that the said Jessie L Finger is the grand daughter of E E Lott, with whom affiant became acquainted abut 48 years ago, and with whom he was intimately acquainted until his death. — For abut Twenty odd years Affiant further states that the said E E Lott was a man having Cherokee Indian blood that he has heard him the said Lott own so, and that his Complexion and appearance showed such to be the fact,

Affiant further states that he ~~since she was a infant for the past ___ years~~ and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Jessie L Finger indicate that the said Jessie L Finger is of Indian blood. That from the above facts and circumstances and from statements made to me by the said E E Lott Affiant states he has every reason to believe and does believe that the said Jessie L Finger is of Cherokee Indian blood.

Affiant further states that he he has no interest whatever in the prosecution of the claim of the said Jessie L Finger to citizenship in the Cherokee Nation, I. T.

W. B. Huggins

Subscribed and sworn to before me this 2nd day of Jany A. D., 1894

and I further certify that I am well acquainted with the said W J Huggins and know him to be a person of truth and veracity.

John O Sears Notary Public.

My Commission Expires on the 31st day of May 1895 189...

Joseph P. Byers, Attorney at Law.

Application
Judicial Finger

Sand

L. C. HARRISON,
MANUFACTURER OF
HOLLOW METAL WARE.

Petition in behalf
of the heirs of E E Lee

To The Hon. H. L. Dawes. F. C. Armstrong.
A. S. McKennon. T. B. Cabaniss and
A. B Armstrong U. S Commissioners

Gentlemen in behalf of the within
applecations I beg to call your
attention to the fact of the respecta-
bility of the affiants in this case
1st Mrs Patience Watts is a very
highly respected lady and the
mother of Judge A. T. Watts of
Dallas Texas. 2nd Ex Govenor
R. B. Hubbord will need no comment
to your honerable body for I am shure
he is known to most of you 3rd
M. J. Whitman and James B Douglas
have both been members of the State
Senate in Texas. 4th W. J. Huggins is
one of the oldest and most respected
Citizens of Smith Co. Tex 5th A. C Huggins
J B Rosson. T. J. Ivey. Bryan marsh,
Are all highly respected
Citizens but not so widely known
as the former.
I would also state that in 1893
representatives of the within Claims
came to the Cherokee Counsel to look

in to this Case. And also Came in 1894
myself being one of this number
and while we were unable to get
our Case before the Council on
account (as we were told) of the
rush of business necessary to the
settleing up of the strip payment
we were encouraged to come back
at the next Council when it would
be a sture thing of getting a hearing
and were also told that our proof
was suffitient to insture us of being
favored passed on We were also
Cordialy invited to Come and live
among the people until our Claims
were passed on. And we were so
favorably impressed with our prospect
of getting our rights established,
soon that the whole connection
decided to Come. But it so happened
That only myself and wife came
to the Territory to make our home
we came to this place (Pryor Creek)
in January 1895. built us a dwelling
and other necessary improvements
to the amount of 1300$ also imbarked
in business in my own name

pay City Taxes and licens to the town authorities.
Expecting a hearing on our claim at the last regular Council my wife and I spent 3 weeks in Saluquah during the Council but availed nothing.
Feeling assured of a fair & impartial trial I am
Respectfully
L. L. Harrison
Mayor Council

P.S. The within P.O. Receipts are for Copies of the within applications & affidavits having all been certified to as true copies of same
L. L. Harrison

No

PETITION OF

for and on behalf of

W E Butler

and heirs

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, W E Butler

for and on behalf of W. E. Butler (himself)

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the Affidavits of Mrs Patience Watts - J B Robson & H. C. Huggins R B Hubbard S D Johnson M J Whitman ~~H C Huggins~~ ~~J B Robson~~ James P Douglas & Huggins, as proof

in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
W E Butler	27	Son of Mary E. Butler who was daughter of E E Lott who was son of John Lott who was s. of Solomon Lott & Nancy Lott formerly (Nancy Smith)
Ella Butler	23	wife of W. E. Butler
E E Butler	3½	Son of W E Butler
Dan Butler	1½	" " "

In witness of which I hereunto set my hand on this 14" day of August 1896.

Sworn to & subscribed before me by W E Butler this

W E Butler

The State of Texas }
County of Tarrant } Before me [illegible] in
Clerk of the County Court in and for Tarrant County
Texas (Same being a Court of Record) on this day
personally appeared W E Butler to me personally
known who being by me duly sworn deposes and
says that the matters and things contained in the
foregoing instrument of writing are within his
knowledge true in substance and in fact

W E Butler

Sworn to and subscribed before me by
W E Butler this Aug 14th A D 1896

Jno R King
Clerk County Court
Tarrant County Texas

OFFICE OF

L. C. HARRISON,

MANUFACTURER OF

Hay Bale Ties, Galvanized Iron Cisterns, Tin and Metal Ware.

Pryor Creek, I. T., ...189

For additional proof see affidavits
in Jessie L. Finger & Tommy Harrison's application.

Affidavit of
J. B. Rosson

RECEIVED
JAN 21 2 PM
DISTRICT COURT

OFFICIAL DIRECTORY OF SMITH COUNTY.

J. W. FITZGERALD, County Judge.

E. L. WALKER, County Attorney.
JNO. P. SMITH, Sheriff.
JOHN A. LOTT, County Clerk.
W. L. BOSTICK, Tax Assessor.

G. C. BURRUSS, District Clerk.
ED. B. WIGGINS, Tax Collector.
JOHN C. TARBUTTON, Treasurer.
MOSES PACE, Surveyor.

Tyler, Texas, ... 189.....

The State of Texas, } Before me, the undersigned
County of Smith } authority, on this day personally appeared J. B Rosson personally known to me, and after being duly sworn deposes and says that he is, and has been personally ~~known~~ acquainted with Jessie L. Finger Tommy Harrison and M E. Butler, the whole or greater part of their lives, and knows them to be the children of Mary E Butler, and Mary E. Butler was the daughter of Col. E. E. Lott & Col. E E Lott was recognized among neighbors and acquaintances as being part Indian

J. B. Rosson

Witness
W. K Parker

Sworn to and subscribed before me, this 11. day of August, 1896.

Jno A Lott Clerk
Co. Ct. Smith Co. Tex.
By W K Parker Dep

Application of
W. E. Butler

Denied

MANUFACTURERS OF
GALVANIZED IRON CULVERTS, TIN SHOP
AND METAL WORK

End

5529

Boyd Strait
et.
Creek Nation
Order of Assignment

6/1430

256

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Wm. Boyd et al to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of Wm. Boyd, Francis Boyd, Mollie Johnson and others to be enrolled as citizens of the Cherokee Nation, from said Commission to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 21st day of Jan' 1897. A.D. 189 .

Clerk.

End

5530

Nation's No. 122

Commission's No .....

In re Application of

George Franklin Whitney
and
Susan A. Whitney

.....

.....

Demurrer and Answer.

Filed Sept 21/96

W. W. Jennings, Secy

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of George Franklin Whitney et al Susan Whitney

Nation's No. 1392

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Edward Brimblecom through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation since the removal of said Nation, west to the Indian Territory as at present located and defined, that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors more than reside, or ever have resided in the Cherokee Nation and Indian Territory.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief C. N.

John L. Adair Ex-Sec. By Hutchings, Hastings & Boudinot

S. H. Mayes, having been first duly sworn, states that the matters contained in the foregoing answer, are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 27 day of Aug. 1896.

O. L. Ball

NOTARY PUBLIC.

)

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes
in the Indian Territory:

Your petitioner, Geo. Franklin Whitley undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives his said Indian blood from his mother's grandfather Edward Brumbelo, who was a Cherokee Indian by blood. He was more familiarly known as Judge Brumbelo. My mother's maiden name was Virginia Susannah Porter. She was a daughter of Betsy Porter who was a daughter of Judge Edward Brumbelo.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 32 years. My Post Office address is Hickory Ind. Ter.

My family consists of the following named persons: My wife and children, as follows:

(wife) aged 34 years.
(Lucy) aged 9 years.
(Elsie) aged 8 years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.
aged years.

WITNESS my hand this 31 day of July 1896.

Geo. Franklin Whitley

[illegible]

[illegible]

Hickory N.Y.
Aug. 6-96

Hon. Dana Appointment
Unita N.Y.

Gentlemen:

I to day. Mail. You a bundle of My. Witness papers together with my application for citizenship, I also mail Chief Mays, a true copy of each. Return to,

I this is sufficient. I hope you will at once act upon my claim.

Please advise me if any thing is rong.

Yours Obidiant

Ed. F. Whitley

U. D. Ind

Chickasaw Nat.
Indian Territory } ss.
Southern District

Before me C. H. Reid Notary Public. Pearsanly
Appeard George Franklin Whitley. And being
on oath, he makes the falowing statement
in his own behalf Viz: To the Honorble
Dawes Commission on Indian affairs,
Vinita. Ind. Ter. Gentlemen: I am now a
seeker for citizenship in the Cheerkee
Nation. by blood of my mother (now
Deceased) Susannah. Whitley. her maden
name being Martan. Her mother being a
daughter of Edward Brumbelow Who resided
in the State of North Caroliana. My
Mother was born in North Carolina A.D
1818. Was married to William Whitley (a White
man) in 1836. My Father being opposed at
That time to the acknollagment of the Indian
blood. Hence he moves finaly to the State
of Texas. Where I and my mother were
both hurried. During my mothers lifetime
she was known by all of her acquaintens
as a Cheerkee Indian. She allways said
That she was indian by blood. Her
Grandfather Judge Brumbelow was one
of the Cheerkee officials, My mothers people
mostly came under the U.S. laws and
Continued to stay in North Carolina
Where to day the Martans are known as
Indians (as fuer proof of the fact)

I togeather with this send the affidavits of Needham Whitley. who was raised in the same County that my mother was. knowing her from a infant. Also the affidavit of Rebecca Ann Hancock. who also was in N.C., same county of my mother. My mother was acknallaged as Indian by the Indians, of the Chearoke Nat. in 1846 As we were moving through said Nation. But my father opposed staying in the Territary:

During the fall of 1887, my brother E.T. Whitley went to Tahlequah. I.T. and paid the fees for registeration for citizenship who also registerd my name, I sent the fee $5.00 for which I hold a receipt. He Prayed the Nat. Counsal to give us a hearing, but to no avail. During this time. I had Needham Whitley Sr and Rebecca Ann Hancock. affidavits retaken before the County clerk of Cooke Co, Texas. And sent them in, but I never could hear, What they done only that if I desired to know. I must would half to send Back to the Secretary of the Interior. But they positively to return my proofs, that was presented to them, Again We. applied for citizenship in the winter of 1898. Part of We viz E.T. Whitley & family myself & family

Through Joseph. P. Byers of Ft Smith. Ark. Who presented our applications before the Hon. Comsal. at Tahlequah. Where it was reffered to Committee on citizenship and as yet they have failed to act. Sir. Elder Brother Hiram. C. Whitley and his son William. W. M. Whitley. my said Hon. John Watkins of Muscogee Ind. Ter. As Joseph. P. Byers is now Dead Mr Watkins will present the proofs of our claims before the Commission at Vinita also before the Cherokee Chief at Tahlequah. I therefore humbly ask your petitionar. Pray your honor to view the proofs presented before you by John Watkins of Muscogee. I.T. in the case of Hiram. C. Whitley (my oldest brother) and William F. M. Whitley his son (my suffame) As I turned over to them all proofs I had, which are under the control of John Watkins Att. at law.

Witness my hand this 6th day of Aug. 1896. Geo. F. Whitley

Hickory } ss Swarn to and subscribed before
me this 6 day of august 1894.

Clarence Rice
Notary Public
Southern Jud Dis

I C. J. Reid. Certifies That the said
Geo. F. Whitley. has this day. come
before me with two copies of This
instrument, one. to be mailed to the
Chiefs of the Cherokee Nat. and Ter. at
Tahlequah. I.T. the other to the Hon.
Dawes Commission at Vinita Ind Ter.
Witness my hand this 6 day.
of aug: 1896.

Nicsean S.T

Charles C. Reid. Notary Pub
Southern Dist Ind Ter

In the matter of
the estate of Susan
Whitley
and others

deceased

Cherokee Nation
} ss

I, [redacted], Clerk of the County Court within and for the Cherokee Nation, do hereby certify that the foregoing is a true and correct copy of the proceedings had in the matter of the estate of Susan Whitley, deceased, as the same appears of record in my office.

Witness my hand and official seal this 15th day of March, 1909.

[redacted]
Clerk.

To Cherokee Nation
for citizenship Sedonia
Whitley after being duly
sworn according to
law says "am 72 —
years old — live post office
address is Gallahoma
Co Okla County Texas and that
he was well acquainted with
Susan Whitley deceased Pen-
elope Lizzie who is known
her infancy to last time I
her death she was born &
raised in North Carolina
& her name before her mar-
riage was Susan Morton
her mother Betsy Morton was
before her marriage Cherokee
Indian She claimed Clark to be
a quarter-roon Cherokee In-
dian and she claimed to
be a Cherokee Indian
and the Cherokee Indians
claimed her to be a Cherokee
Indian her mother Betsy was a-

To The

Dans Comm

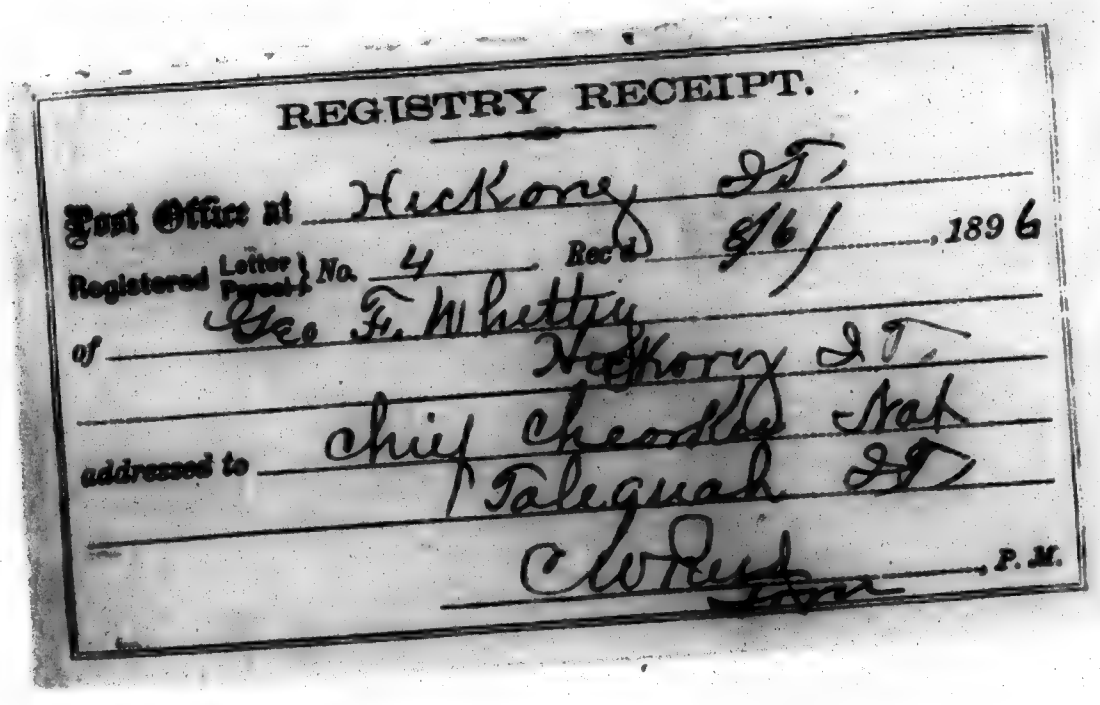
Hickory Ind. Ter.
Chickasaw Nation

I Geo F. Whitley do Herby certify that I have this day furnished a true and Verbatim copy of all papers presented to the Hon. Dawes Commission and have Mailed them under seal and registerd mail to the Chiefs of the Cherokee Nation, Ind. Ter. at Tahlequah each file being taken befor a Notary Publick and properly subscribed, the said outfit consist of a true copy of each of the following files viz. 1 affidavit of Needham Whitly. 1 of Rebecca Jully ann Honeycutt. 1 application to the Honorable Dawes Commission 1 document being the argument of my own testamony.

In Token Wherly. Subscribe my Name of this the 6 day of Jany 1896

Geo F. Whitley

Witness
Thos L Reid



REGISTRY RECEIPT.

Post Office at Hickory N.C.

Registered Letter / Parcel No. 4 Rec'd 6/ , 1896

of Geo F. Whitley
Hickory N.C.

addressed to Chief Cherokee Nat
Tahlequah I.T.

Clerk , P. M.

B 7 Savage
a
Charge of Larceny
for Attorneys

End

55531

Nation's No. 3728

Commission's No. .....

In re Application of

William J. Henson

Demurrer and Answer.

FILED OCT. 21,
H. M. JACOWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

William J. Howard

Nation's No.....

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Nancy Redmond through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct 1896.

D. L. Ball

NOTARY PUBLIC.

United States of America,
Indian Territory,
Northern District.

I, Henry Clay Barritt, of Vinita, Ind. Ter., do solemnly swear that on the 7 day of September, 1896, I saw a package registered at the postoffice at Vinita, Ind. Ter., addressed to S. H. Mayes, Principal Chief of the Cherokee Nation, Tahlequah, Ind. Ter., and that registry receipt No. 348, received from postmaster and hereto attached is a receipt for said package, which contained true copies of the application of Thomas M. Hanson, Mitchell, Robert Wm Hanson. T. J. Sorrin, Delia C. King, T. M. Sorrin T. M. Sorrin

and

and of the affidavits of Robert D Saxon (four Affidants)

in support of same.

H. C. Barritt

Subscribed and sworn to before me on this 7 day of September, 1896.

[illegible]

My commission Expires
March 2nd 1899

REGISTRY RECEIPT.

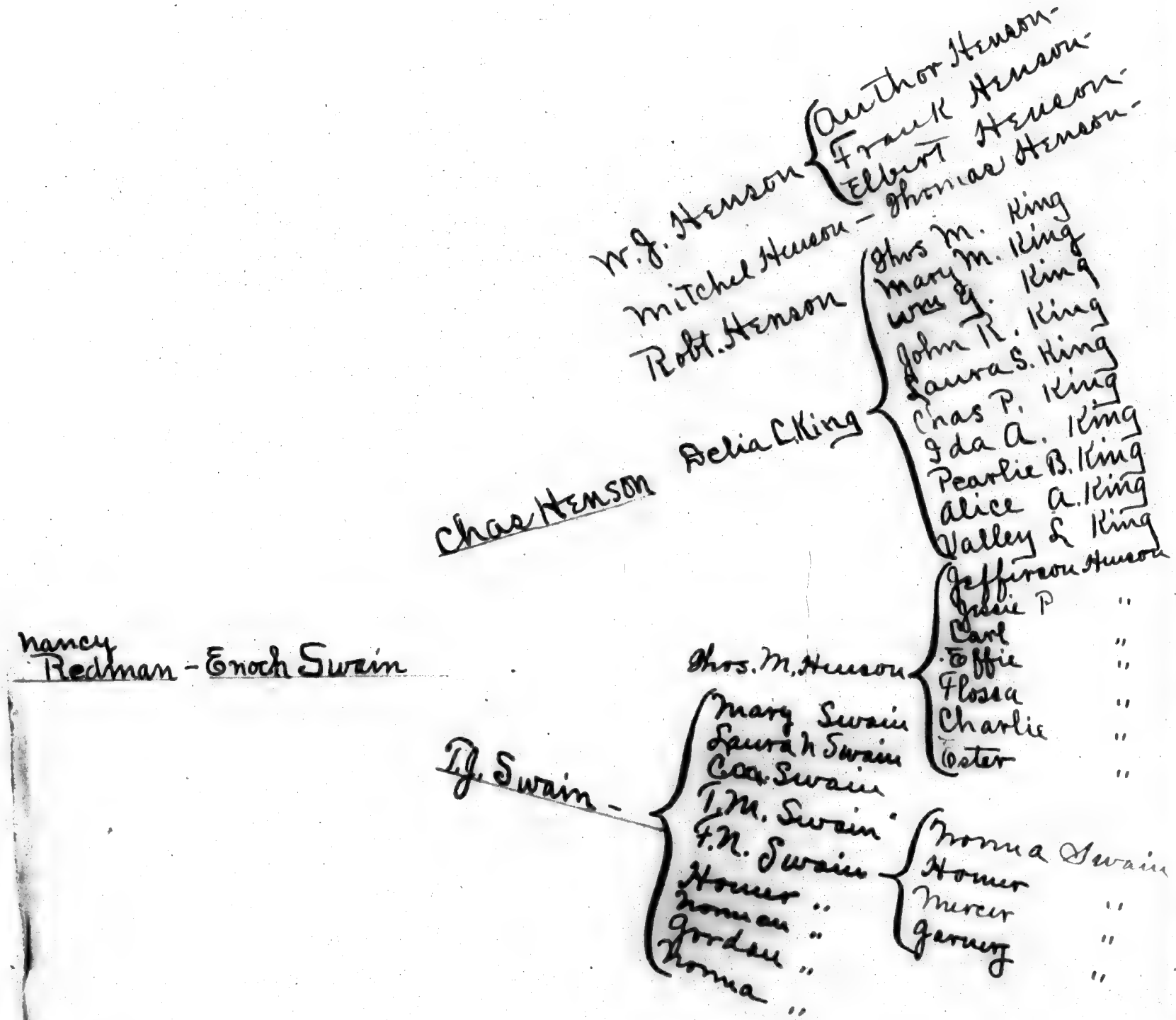
Post Office at VINITA SEP 7 1896 Cherokee Nation, Ind. Ter.

Registered Letter No. 348. Rec'd ..... 189 .

of J. N. Harris

addressed to S. H. Mayes
Tahlequah I. T.

A. M. Maynard P. M.


A. Henson { Author Henson- Frank Henson- Elbert Henson- Thomas Henson-
W.J. Henson - Thos M. King
Mitchel Henson - Mary M. King
Robt. Henson
Chas Henson
Delia C. King { Thos M. King, Mary M. King, Wm E. King, John R. King, Laura S. King, Chas P. King, Ida A. King, Pearlie B. King, Alice A. King, Valley L King
Thos. M. Henson { Jefferson Henson, Julie P ", Carl ", Effie ", Flossa ", Charlie ", Foster "
Nancy Redman - Enoch Swain
T.J. Swain - { Mary Swain, Laura N Swain, Cora Swain, T.M. Swain { Ronna Swain, Homer ", Mercer ", Gerney ", F.N. Swain, Homer ", Norman ", Gordan ", Ronna "

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned Thomas M. Henson makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That he is the son of one Charles Henson and the grand son of one Enoch Smith and the great grand son of one Nancy Redman who your petitioner firmly believes was half Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived his Indian blood entitling him to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is 34 years of age, his postoffice address is Byron Ga., and his family by virtue of Cherokee Indian blood is as follows:

1: Sonnie age 36 (wife) 2: Jefferson age 10. 3: Jessie Pearl age 8. 4: Carl age 6. 5 Effie age 6. 6: Flossa age 5. 7: Charlie age 4. 8: Ester age 1.

Other Children and Grand Children. My brothers are citizens of Melvin Ind. Ter.

Your petitioner herewith submits the proof of this application and respectfully awaits its determination.

T M Henson

By J. W. Harris, Jr., Attorney.

STATE OF Georgia, COUNTY OF Union

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

T M Henson

Sworn to and subscribed before me this August 28, 1896, and I hereby certify that petitioner is known to me as the identical person represented in his petition and is a person of good character and worthy of credit.

J G Butler Jr.

APPLICATION FOR CITIZENSHIP.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. ARMSTRONG, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

The undersigned William J. Henson and Robert Henson makes this application for admission to Citizenship in the Cherokee Nation, in the Indian Territory, as a Cherokee Indian by blood, in accordance with the acts of Congress and the laws of the Cherokee Nation, and respectfully submits the following facts as the grounds of this claim, to-wit:

That they are the sons of one Charles Henson and the Grand sons of one Enoch Swain and the great grand sons of one Nancy Redman who your petitioner firmly believes was Full Cherokee Indian by blood and a duly acknowledged member of the Cherokee tribe of Indians and from whom petitioner derived their Indian blood entitling their to citizenship in the Cherokee Nation.

That the names of said ancestors should be found to appear on the census rolls on the Cherokee East of the Mississippi river.

Your petitioner is 26 years of age, respectively his postoffice address is Bureau, Ga., and their family by virtue of Cherokee Indian blood is as follows:

1. Maryann age 26 wife of Wm J. 2 Arthur age 6. 3: Frank age 3. 4: Eli age 1. children of Wm J. 1. Alice wife of Robt age 26. 1. Jane wife of Mitchell age 23. 2 Thomas age 1 year Child of Mitchell.

My brothers Jno C James L. Frank Henson are Citizens of Malvern Ind Ter.

Your petitioner herewith submits the proof of this application and respectfully asks its determination.

William J Henson
Mitchell Henson
Robert Henson

By J. W. Harris, Jr., Attorney.

STATE OF Miss, COUNTY OF County

You do swear that the facts set forth in the above and foregoing petition are true to the best of your knowledge and belief, so help you God.

William J Henson
Mitchell Henson
Robert Henson

Sworn to and subscribed before me this August 26, 1896, and I hereby certify that petitioner is known to me as the identical person represented in their petition and is a person of good character and worthy of credit.

X A. H. McBee JP

APPLICATION FOR ENROLLMENT.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY,

United States Commissioners authorized by an act of Congress of June 10, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, T. J. Swain, for and on behalf of himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of R. D. Sexton and Bartley H. Hembree in support of said claim, and respectfully await the time when Our application shall be heard and tried.

Respectfully submitted,

T. J. Swain

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
T. J. Swain	52	Husband of Ora
Ora E. Swain	46	Married a Cherokee Indian
T. M. Swain Jr.	27	by blood and intermarried
Celia Dyer	26	by blood and intermarried
W. A. Swain	22	by blood
Emma Dyer	21	
Mary Swain	17	
Esther Swain	14	
Thomas Swain	11	
Lucian Swain	9	
Ora Swain	3	

In witness of which I hereunto set my hand on this 29 day of August 1896.

T. J. Swain

APPLICATION FOR ENROLLMENT.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY,

United States Commissioners authorized by an act of Congress of June 10, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Delia C. King

for and on behalf of her self

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the following facts. that she 30 yeors of age. and is a daughter of Charles Stinson. granddaughter of one Enoch Strain and great granddaughter of Nancy Redman.

in support of said claim, and respectfully await the time when their application shall be heard and tried.

Respectfully submitted,

Delia C. King

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
T. H. King	41	Husban
Delia C. King	37	~~granddaughter~~ Wife
Laura S. King	22	Dauter
John R. King	20	Same
William G. King	19	Same
Mary M. King	17	Dauter
Thomas M. King	15	Same
Charles P. King	13	Same
Linda A. E. King	11	Dauter
Perlie R. King	9	Dauter
Alice A. King	6	Dauter
Valley Se King	4	Dauter

In witness of which I hereunto set my hand on this 29th day of Aug 1896.

Delia C. King

No.

PETITION OF

J M Irwin

for and on behalf of

Emily

and heirs

Jno Hunt

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, J. M. Swimm for and on behalf of himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavit of R. D. Logan & Bartley H. Coker

in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted

J. M. Swimm

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
J. M. Swimm	58	Head of family
Delia Swimm	54	Wife

APPLICATION FOR ENROLLMENT.

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY,

United States Commissioners authorized by an act of Congress of June 10, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, F. N. Swain for and on behalf of [illegible] and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of F. N. Swain and Stanley McCombs

in support of said claim, and respectfully await the time when [illegible] application shall be heard and tried.

Respectfully submitted,

F. N. Swain

Enrollment of family, with relationship attached, as follows: [illegible]

NAMES.	AGE.	RELATIONSHIP.
F. N. Swain	50	Head of family
Alice Swain	24	Wife
Herman Swain	10	Son
Elmer Swain	6	Son
[illegible]	4	[illegible]
Jenny Swain	1	

State of Georgia **, County of** Union

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Robert D Saxon who after being duly sworn by me, states that he is 80 years old, and is a citizen of Union County and that he is personally acquainted with William H. and Mollissa Sullivan Harriett Nix Marietta Sheriff Lucinda Spiva & Elder Rado Souther & James C. Swain who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said Lucinda Spiva & Elder Rado Souther is the identical person s he represents themselfs to be in Their application for such citizenship.

was personally acquainted with J. M. Swain Father of applicants also was acquainted with Enoch Swain father of J. M. Swain who is the father of applicants Was also acquainted with Tony Redmond the great grand mother of applicants and that She was half Cherokee Indian blood.

Affiant further states that he has known the said William H. and Mollissa Sullivan Harriett Nix Marietta Sheriff Lucinda Spiva & Elder Rado Souther for the past 45 years and knows that they has has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said William H. and James C. Swain and Mollissa Sullivan Harriett Nix Marietta Sheriff Lucinda Spiva & Elder Rado Souther indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said William H. and James C Swain & Mollissa Sullivan Harriett Nix Marietta Sheriff Lucinda Spiva & Elder Rado Souther is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said William H. & James C. Swain & Mollissa Sullivan, Harriett Nix Marietta Sheriff, Lucinda Spiva & Elder Rado Souther to citizenship in the Cherokee Nation, I. T.

Robert D Saxon

Sworn to and subscribed before me this the 29 day of August 1896, and I further certify that I am well acquainted with affiant and know him to be of good character and well worthy of credit.

I. T. Wilson N. P. 98.

Georgia
Union County } I. M. J. Smith, Clerk of the Superior Court in and for said County certify that L. J. Wilson, is an acting Notary Public, in and for said County duly in commission, and that his acts as such are entitled to full faith and credit, and that his signature as such hereto attached, is genuine. Given under my hand and seal of office, this 29th day of August 1896.

I. M. J. Smith. C. S. C.

State of Georgia **, County of** Union

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Robert D Sawyer who after being duly sworn by me, states that he is 80 years old, and is a citizen of Union County and that he is personally acquainted with J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain who is an applicant for citizenship in the ~~Cherokee~~ Nation, I. T., and that the said J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain is the identical person they represents them self to be in their application for such citizenship. I was personally acquainted with Enoch Swain the Father of applicants also was acquainted with Nancy Redmond Grandmother of applicants and that she was full Cherokee Indian blood

Affiant further states that he has known the said J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain for the past 50 years and knows that they has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said J.M. Fields W.J. W.M. Swain Margaret Lance Julia Daniel Caroline Berry Lucinda Cain to citizenship in the Cherokee Nation, I. T.

Robert D. Sawyer

Sworn to and subscribed before me this the 29 day of August 1896, and I further certify that I am well acquainted with affiant and know him to be of good character and well worthy of credit.

J. T. Wilson N.P. & J.P.

State of Georgia **, County of** Union .

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared Robert D. Sapon who after being duly sworn by me, states that he is 80 years old, and is a citizen of Union County and that he is personally acquainted with J.M.W.J. Mitchell, Robert Johns James 40 Frank Henson & Caroline King who is an applicant for citizenship in the Cherokee Nation, I. T., and that the said J.M.W.J. Mitchell Robert Johns James & Robert D. Sapon & Caroline King is the identical person s he represents Himself to be in their application for such citizenship.

Was personally acquainted Charles Henson father of applicants. Also was acquainted with Enoch Swain father of Malissa Henson, who is the mother of Applicants. Was also acquainted with Nancy Redmon the great grand mother of the applicants. and that she was half Cherokee Indian blood

Affiant further states that he has known the said James Frank Henson & Caroline King J.M.W.J. Mitchell Robt John, for the past 35 years and knows that the s he has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said J.M.W.J. Mitchell Robt John James Frank Henson & Caroline King indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said J.M.W.J. Mitchell Robt. John James Frank Henson & Caroline King is of genuine Indian blood. Affiant also swears that he has no interest in the prosecution of the claim of the said J.M.W.J. Mitchell Robt John James Frank Henson & Caroline King, to citizenship in the Cherokee Nation, I. T.

Robert D. Sapon

Sworn to and subscribed before me this the 29 day of August 1896, and I further certify that I am well acquainted with affiant and know him to be of good character and well worthy of credit.

A. T. Wilson U.S.C.C.

State of [redacted], County of [redacted]

Before me, the undersigned judicial officer in and for the county aforesaid, personally appeared [redacted] who after being duly sworn by me, states that [redacted] is [redacted] years old, and is a citizen of [redacted] and that [redacted] personally acquainted with [redacted] who is an applicant for citizenship in the [redacted] Nation, I. T., and that the said [redacted] is the identical person who represents himself to be in the application for such citizenship of [redacted]

[redacted]

Affiant further states that [redacted] has known the said [redacted] for the past [redacted] years and knows that [redacted] has been recognized and treated by his neighbors, acquaintances and the public generally as a person of Indian blood; that the complexion and physical appearance of the said [redacted] indicates the Indian type. That from the above fact and circumstances and from statements made to me by the applicant and those who knew him longest, affiant has every reason to believe and does believe that the said [redacted] is of genuine Indian blood. Affiant also avers that [redacted] has no interest in the prosecution of the claim of the said [redacted] to citizenship in the [redacted] Nation, I. T.

[redacted]

Sworn to and subscribed before me this the [redacted] day of [redacted] 1896, and I further certify that I am well acquainted with affiant and know [redacted] to be of good character and well worthy of credit.

[redacted] N. P. & J. P.

End

5532

Nation's No. 36 -

Commission's No .....

In re Application of

Mrs Kate P. McDaniel

Demurrer and Answer.

FILED Oct 2 1896.

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Kate O McDaniel

Nation's No. 26

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Manta John Dellard through whom the petitioner ~~s~~ claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that ~~his~~ her name does not appear on any of the authenticated rolls of said Nation; that neither she nor any of ~~his~~ her ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Bondurant Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair

Subscribed and sworn to before me this the 22 day of Sept. 1896.

D. J. Bell

NOTARY PUBLIC.



Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, July 24 1896

Received from Mrs. Viola P. McDaniels copies of

the following documents, to-wit:

Application for Cherokee citizenship
Affidavits (4 Pages

certified to by M. D. L. Powell & W. T. Rennie Jr. Public

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes

Commission in support of the claim of

Mrs Viola P. McDaniels,

for Cherokee citizenship.

By John B. Adair n.t. EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

Copy of Original

United States of America } Affidavits of Witness
Northern Judicial District }
Fort Gibson Ind Territory }

Personally Came before me a Notary Public in and for the above named District Geo. N. Vann, I Know Kate P. McDaniels to Be a Grand daughter of John Selkirk and Martha Selkirk. I also Know Mary Emily Selkirk her Mother. I Know John Selkirk to Be a full Blood Cherokee Indian. Kate P. McDaniels Father was a white man and Staff Officer under General Sherman at Fort Gibson I.T. Kate P. McDaniels is therefor a mixture of white and Cherokee Blood. Her Grand mother was a half Breed Cherokee and her about 1/4. Her Grand father was an old Settler, and Drew money in 1867. Kate P. McDaniels was born in going Snake district Cherokee nation April 18th 1863. Her Grand father lived in going Snake district, Kate P. McDaniels name was Enrolled as a Cherokee by as Kate P. Vann in 1896 at Fort Gibson I.T. to the Best of my Knowledge. Her and her Sister Bell. I Know all of the Selkirk Family. They drew Breed money in 1895. Her Grand fathers family was as follows John Selkirk, (father) Martha Selkirk, (mother) and the Children were Jane Selkirk, Sarah Selkirk George Selkirk and Alex Selkirk. I Know them all to Be Cherokees and Kate P. McDaniels mother was Mary Emily Selkirk by

Geo. N. Vann
Agent

The above was Subscribed and Sworn
to before me by Geo. N. Vann of
Fort Gibson I.T. this the 22nd day of
July 1896

M. C. L. Lowell
Notary Public

No

PETITION OF

Kate. P. McDaniel

for and on behalf of

Herself

and heirs

Attorney for Petitioner

APPLICATION FOR ENROLLMENT

To The Honorable HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON THOMAS B. CABANISS and ALEXANDER B. MONTGOMRY, *United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:*

GENTLEMEN: The undersigned, your petitioner, Kate P. Stern

for and on behalf of Myself

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the following Statement. My Name is Now Kate P. McDaniel formerly Kate P. Roth My maiden name was Kate P. Stern. I was a Granddaughter of Martha Selkirk Nee John Selkirk. My mother was Mary Emily Selkirk who married Enoch Stern

in support of said claim, and respectfully await the time when This application shall be heard and tried.

Respectfully submitted

Mrs. Kate P. McDaniels.

Enrollment of family, with relationship attached, as follows:

NAMES	AGE	RELATIONSHIP
Mary Emily Roth	20	Daughter of Kate P. McDaniels
Enoch Stern "	19	Son " " " " "
Belle Bridgett "	17	Daughter " " " "
Ellen Cecelia "	16	" " " " "
Fannie May "	14	" " " " "

In witness of which I hereunto set my hand on this The 9th day of July 1896.

W. O. L. Dowell
Notary Public

Application of Kate. P. McDaniel for Cherokee Citizenship

United States of America
Northern Judicial District
Fort Gibson Indian Territory } ss

Statement of
Kate. P. McDaniel

Personally appeared before Me a Notary Public in and for the above named District Kate. P. McDaniel who Being by Me duly Sworn deposes and says. Gentlemen of the U.S. Commission to determine Cherokee Citizens. In making this my application for and on Behalf of Myself and Sons, I now this day for the Purpose of Being Placed on the revised Role of Cherokee Indians of Those Entitled to Share in the distribution of Funds and allotments of Land in the Cherokee nation by virtue of their Cherokee Blood. And I herewith Submit the following Statement; My name is now Kate. P. McDaniel, formerly Kate. P. Kirk. My Maiden Name was Kate. P. Steen. I am a Grand Daughter of Martha Selkirk and John Selkirk. My Mother was Mary Emily Selkirk who Married Major Enoch Steen who was Chief Staff Officer under General Sherman. I am a Daughter of Major Enoch Steen. And I was born in going Snake district Cherokee nation April 18th 1855. And I Lived there until My Father Moved to Fort Gibson, And My Mother drew Bread Money for the Family in 1875. My Mothers Name was Enrolled in Fort Gibson 1876 as Mary Emily Steen and Mine as Kate. P. Steen And we drew $10.00 Percapita. After this My Father was ordered to Jefferson Barracks And My mother afterward died in St Louis. after which My Father Moved back from And Lived with My Grandfather in going Snake district until I was

10 years old.

My Grand Father's Family was as follows

John Selkirk		Father
Mary Ewell Selkirk		Daughter
Jane	"	"
Sarah	"	"
George	"	Son
Alex	"	"
Martha	"	wife & Mother

Kate. P. McDaniels		Family
Mary Emily	Roth	Daughter 20 yrs
Enoch Stem	"	Son 19 "
Bell Bridgett	"	Daughter 17 "
Ellen Cecelia	"	" 16 "
Fannie May	"	" 14

Kate P. McDaniels

The abon Statement was made to me in Person by Kate. P. McDaniels & I named the same to writing as she dictated. I further certify that I acquainted her with its contents before She Executed the same, & that She Subscribed & Swore to the abon before me this the 18th day of July 1896

M. D. L. Dowell
Notary Public

Phoenix Printing Company, Printers and Stationers, Muskogee, Ind. Ter.

United States of America,
Western District of Arkansas } ss.

In the case of Mrs. Kate P. McDaniel claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me William F. Raemus, a Commissioner within and for the District aforenamed duly authorized to administer oaths Leonard W. Wilkerson to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is Leonard W. Wilkerson, my age is 46 years, my post office address is Tahlequah Ind. Territory, I am a Farmer by occupation, I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood

And affiant declares in relation to the above-named case as follows, to-wit: That John [redacted] was a Cherokee Indian, and an old Settler — and Kate P. McDaniel the claimant is the grand daughter of John [redacted] — and the daughter of Mary Ann [redacted] — and she was a Cherokee Lady + and she was born in Going Snake Dist. C. N. in 1855. and I Know Mrs. Kate P. McDaniel to be a Cherokee Lady and she is a mixture of white and Cherokee

L. W. Wilkerson

Subscribed and Sworn to before me at Tahlequah Ind. Terr. this Seventh day of January A.D. 1896.

W. F. Raemus.
United States Commissioner.

United States of America
Northern Judicial District
Indian Territory } ss. Affidavit of Mariah Wickett

In the case of Kate P. Strom claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before ~~Cherokee Indian authorities~~ Dawes Commission at ~~Tahlequah~~, Cherokee Nation, Indian Territory:

Personally came this day before me a Notary Public within and for the District aforenamed duly authorized to administer oaths Mariah Wickett to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is Mariah Wickett ~~and~~ Post Office; my age is 62 years; my postoffice address is Fort Gibson I.T.; ~~I am a~~ Ind by occupation; I am a citizen of the Cherokee Nation by Blood.

And affiant declares in relation to the above-named case as follows, to-wit: I further Certify that I know that Kate P. Strom was the Grand daughter of John Selkirk who was a Full Blood Cherokee Indian. I also Know his Cherokee name was Selegugi Ahguaduster. I know Kate P. Strom was born in going Snake District in 1855. I also know She was always recognized as one in right of the Family of her Grand Father John Selkirk. I used to nurse her and carry her on my Back. I also Know Kate P. Strom's Grand Mother Martha Selkirk also her Mother Mary Emily Selkirk whose Name was Put on the Census Rolls of 1896 to the Best of my Knowledge at Fort Gibson I.T.

her
Mariah X Wickett
mark

Sworn to and Subscribed to Before me this the 9th day of July 1896

M. D. L. Dowell
Notary Public

No. 16.

Mrs. Kate P. Daniel

vs

Cherokee Nation

Filed Aug. 25th 1896.

A.S. McKennon
Clerk

Denied

Kate P. Daniel.
Tahlequah
Ind Ter

United States of America
Northern Judicial District
Indian Territory } SS.

Affidavit of
Joseph Sanders.

In the case of Kate. P. Steen claimant for citizenship
in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Deputy Commissioner
~~Cherokee Indian author-~~
~~ity, [illegible] Cherokee~~ Nation, Indian Territory:

Personally came this day before me Notary Public
~~to administer oaths~~ within and for the District aforenamed duly authorized
Joseph Sanders to me personally
well known to be reputable and entitled to credit, and who being by me first duly sworn according to law,
deposes and says: My name is Joseph Sanders
my age is 88 years; my postoffice address is Fort Gibson I.T.
and ; I am a Farmer by occupation;
I am a citizen of the Cherokee Nation

And affiant declares in relation to the above-named case as follows, to-wit: I further
certify that I Know Kate. P. Steen to Be the
Grand Daughter of John. Selkirk. & John
Selkirk was a Full Blood Cherokee Indian.
and I Know his Cherokee Name was Selegug-
Ahgualuster. I Know Kate. P. Steen when
She was first Born which was in 1853- in
Going Snake District. She has always recog-
nized as a Member of the Family, and I used
to nurse her and Carry her on my Back. I Know
her grand mother Martha Selkirk. and also Know
Kate. P Steens Mother Mary. Emily. Selkirk whose
Name was Pick on the Census Rolls of 1876-
To the Best of my Knowledge this was done at
Fort Gibson I.T.

his
Joseph X Sanders
mark

Sworn and Subscribed to before me this
the 9th day of July 1896

M. D. L. Dowell
Notary Public

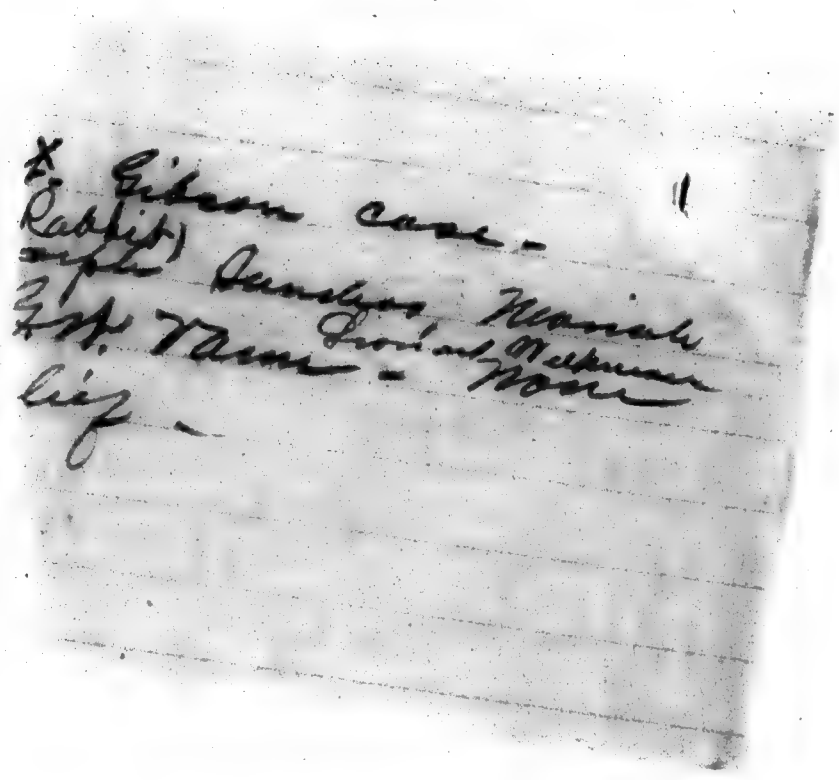
1

This is one of cases
in good time extended in
U.S.C.

1

UNITED STATES OF AMERICA,
Indian Territory,
NORTHERN JUDICIAL DISTRICT. } SS.

Personally before me, a Notary Public in and for the above named District, appeared this day George O. Sanders, to me well and personally known to be reputable and entitled to credit, who, after being duly sworn according to law, made the following statement to-wit: My name is George O. Sanders. I am 68 years of age. I am a citizen of the Cherokee Nation and reside at Fort Gibson. I.T. I have held various offices under authority of the Cherokee Nation among which was the office of district judge of this, Illinois, District. I have resided here at Fort Gibson for 25 years, or more. I know Joseph Sanders, colored frequently called "Rabbit". I have known him for thirty five years, or more. He lives at the present time with Mariah Wicket in the town of Fort Gibson, I.T. Joseph Sanders is not now and has never been of sound mind. He has never been considered a competent witness in the courts of the Cherokee Nation. He can not carry on an intelligent conversation and I would not consider



him a reliable witness in any matter.

Geo. O. Sanders

Subscribed and sworn to before me on this the 11th. day of September, 1896.

R. L. Butler

Notary Public.

My Commission expires Feby 1st 1900.

UNITED STATES OF AMERICA)
Indian Territory,) S. S.
Northern Judicial District)

In the matter of the application for citizenship heretofore filed before the Dawes Commission at Vinita, Indian Territory of Kate P. McDaniel, personally came before me, a Notary Public, this day, Maria Wicket [redacted], who after being duly sworn, made the following statement:-

I have heard read what purports to be an affidavit signed by [redacted] which is in the following words, to wit:-

" copy of original "

" United States of America) S. S.
" Northern Judicial District)
" Indian Territory)

Affidavit of
Mariah Wickett

" In the case of Kate P. Steen claimant for Cherokee Citizen-
" ship, in the Cherokee Nation, Indian Territory, as a Cherokee
" Indian by blood, before the Dawes Commission, at Vinita,
" Cherokee Nation, Indian Territory.

" Personally came this day before me a Notary Public with-
" in and for the district above named, duly authorized to admin-
" ister oaths, Mariah Wickett, to me personally known and suppos-
" ed to be reliable, and who being by me duly sworn, deposes
" and states as follows:-

" My name is Mariah Wickett. My age is 62 years. My
" Post Office address is Fort Gibson, I.T. and I am a Cherokee
" Indian, and I hereby certify that I know that Kate P. Steen
" is the Grand-daughter of John Selkirk who was a fullblood
" Cherokee Indian. I also know his Cherokee name was Selguge
" Ahgualuster. Kate P. Steen was born in Going Snake District,
" Cherokee Nation 1855. I know she was an inmate of her Grand-
" fathers family, who was John Selkirk. I used to nurse her
" and carry her on my back. I also knew Kate P. Steens Grand-
" mother, Martha Selkirk, also her mother Mary Emily Selkirk,

name was enrolled as a Cherokee in 1880 to the best of
my knowledge at Fort Gibson, I.T.

her
Mariah (X) Wickett.
mark

Sworn and subscribed before me July 9th 1896

M. D. L. Dowell.
Notary Public.

~~Sworn~~ and ~~subscribed~~ to before ~~me~~ this the ~~9th~~ day of July ~~1898~~"

~~"M.~~ D. ~~L.~~ Dowell
~~Notary Public"~~

and ~~I~~ we now state ~~jointly and severally~~ that the statements contained in the above alleged affidavits of ~~myself~~ ~~ourselves~~ are not true to ~~my~~ ~~our~~ own personal knowledge. ~~I~~ we further state that ~~I~~ we do not know Kate P. Steen, a claimant for Cherokee citizenship in the Cherokee Nation Indian Territory as a Cherokee by blood before the Dawes Commission at Vinita, Cherokee Nation, Indian Territory, is a Cherokee by blood. ~~I~~ we do not know that Kate P. Steen is a grand-daughter of Mary Emily Selkirk. ~~I~~ we can neither ~~of us~~ read nor write, and the above alleged affidavits ~~was~~ ~~were~~ not signed by ~~me~~ ~~us or either of us~~ in person nor ~~was~~ ~~it~~ ~~they~~ read to ~~me~~ ~~us~~ before ~~my~~ ~~our~~ names ~~was~~ ~~were~~ affixed ~~to them~~, Thereto

Mariah X Wickliff
her mark

Sworn and subscribed to before me this the 11th day or September 1896 and I hereby certify that I read to and acquainted the above named affiant with the contents of the forgoing affidavit before she Executed the same

M D L. Dowell
Notary Public

End

5533

United States of America
Northern District Indian Territory
I do personally swear that on the 1st
day of September 1896 I saw a package
lying at the post office at Tulsa Indian
Territory addressed to Sam Sams Mayes
Principal Chief of the Muskogee Nation Indian
Territory, which Registry receipt is No 16
Post office clerk issuing receipt for said package
which evidently was upon the application
of Lochlan P Bruce for Muskogee adoption
papers all which I believe is correct

Witness

Subscribed and sworn to before me
this 1st day of Sept 1896

To the Honorable the Dawes Commission on Citizenship in the five Civilized Tribes in the Indian Territory:

Your petitioner, ... undersigned, respectfully states that ....he is a ~~Indian by blood~~, and asks to be enrolled as a member of the ..... Nation of Indians in the Indian Territory. That ....he derives h.... said ~~Indian~~ blood from ..... h.... ..... who ~~was~~ ..... Indian by blood.

Your petitioner states the above facts as the lawful grounds of ..... application for citizenship in the ..... Nation, and prays that h.... claim may be fully investigated by your Honorable Commission and that ....he be adjudged to be a citizen of said ..... Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is ..... years. My Post Office address is .....

My family consists of the following named persons: My ..... and children, as follows:

..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.
..... aged ..... years.

WITNESS my hand this ..... day of ..... 1896.

.....

.....
..... } ss.
.....

Personally appeared before, the undersigned authority, ... to me known to be the petitioner in the above petition, who being by me first duly sworn, upon ..... oath says that ....he is the petitioner in the above petition, that ..he has read (or heard read) the said petition, and that the facts stated therein are true, as ....he verily believes.

.....

Subscribed and sworn to before me at .....

this ..... day of ..... A. D., 1896.

.....



Mart A. Collins

Mart A. Collins aged 37 yrs. by
occupation a Farmer native County
Town — residence Lillian Dist of Polk County
Texas, has been in my office this
day and made oath that he is a
Duly qualified & legal voter
in said County. Sworn to and
subscribed before me this the
2 day of September 1892.

A. V. Collins N. P.

Filed for record this the 2
day of September 1892.

E. Collins
Notary Public
Commission Expires April 24 1895.

End

5534

Commission to the Five Civilized Tribes.

I, Vester Mullens ..... do solemnly swear that on the 9th day of September. 1896, I saw a package registered at the postoffice at Fort Smith, Arkansas, addressed to Samuel Mayes, Chief of the Cherokee Nation, Tahlequah, Indian Territory, that Registry Receipt No. 647 received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of ..... Edna Hughes ..... and of the affidavits of ..... and ..... in support of same.

Vester Mullens

Subscribed and sworn to before me, on this 9th day of September, 1896.

J. M. Maxwell

NOTARY PUBLIC.

My Commission expires 14th of March, 1900.

~~5324~~

No. ~~No. 4365.~~ 5534

Application of

Edew Hughes ..... Et. Al.,

—FOR—

Enrollment in Cherokee ..... Nation.

Filed on the ..... day of ..... 189...

Sec. U.S. Com. Five Civ. Tribes.

Joseph C. Mueller

Attorney for Pet...tioner.

FILED SEPT 9 1896

A. S. McKENNON

COM'R

Joseph McAlester

Application For Enrollment.

BEFORE THE UNITED STATES COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIANS:

Edia Hughes ..... Et Al., PETITIONER,

VS.

Cherokee ..... Nation, Indian Territory. RESPONDENT.

APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTOINED HONORABLE COMMISSION:.....

Your petitioner ... Edia Hughes ..... states that ... Billie Bloombug .....

was a ..... Cherokee ..... Indian by blood; was duly recognized by the proper authorities as such in

in the old Cherokee Nation east of the Mississippi and enjoyed all the rights, priviliges, benefits

and in South Carolina Cherokee ..... Indians by blood in the said Cheroke .....

and annuities of other ..... appears,

Nation or Tribe of Indians, and that the name of the said Billie Bloombug .....

or should appear upon the authenticated rolls of the said ..... Cherokee ..... Indians for the year .....

That petitioner is a lineal descendant of the said ..... Billie Bloombug. ..... to-wit:

That the post-office address of your petitioner is Alma, Ark. That she is one-fourth Cherokee blood. That she derives her Cherokee blood from her mother, Daphinia Hughes, who was the daughter of the late Billie Bloombug. That the said Billie Bloombug resided in the old Cherokee Nation east of the Mississipp, and in the States of South Carolina and Mississippi; that he spoke the Cherokee Indian language; that he was a full blood Cherokee Indian, and was a member of the Cherokee tribe of Indians.

..... That under the constitution, laws, usages and customs

of the said ..... Cherokee ... Nation or Tribe of Indians, and the laws of the United States, and

treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of

said ..... Cherokee ..... Tribe of Indians in Indian Territory and entitled to all the rights.

benefits, privileges and annuities of other ..... Cherokee ... Indians by blood.

That there are now living legal descendants of your said petitioner .. 1 ..... persons, as follows, to-wit:

John Hughes	, a	son	, and	14 years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age
	, a		, and	years of age

Wherefore, the premises considered, your petitioner prays that ..... her ... name, with those of

.....her.....said descendants, to-wit:.....

.....John Hughes.....

.....

and.....herein.....be enrolled and admitted to all rights, benefits privileges and immunities of other..Cherokee.....Indians, in and to the...Cherokee.....Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

.....
Attorneys For Petitioners.

The aforenamed petitioner.....says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Caroline Hughes
.....
Petitioner.

Witnesses
J. Sowell
B. M. Adams

Subscribed and sworn to before me, this 5 day of Sept 1896

John N. Buckley
Notary Public

My Commission
1/31/1900.

Nation's No. 4870

Commission's No.....

In re Application of

Edie Hughes

Demurrer and Answer.

FILED OCT 21 -
H. M. JACOWAY
SEC.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of.....
Eddie Knight
.....
.....
.....
for citizenship in the Cherokee Nation.

Nation's No.....

Commission's No.....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant Co entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Dellie Bloomberg Ais .....through whom the petitioner claim to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES. Principal Chief Cherokee Nation.

By Hastings & Hastings & Boudinot Attorneys.

~~John B. Spain~~ Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

William M Lucas

Subscribed and sworn to before me this, the 15 day of Oct 1896.

J W Dunfee NOTARY PUBLIC.

End

5736

B436

553

Nation's No. 2515

Commission's No. .....

In re Application of

Nevins
Abbie Nevins (Col.)

Demurrer and Answer.

FILED Oct 2 1896.

A. S. McKENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Abb Munns
for citizenship in the Cherokee Nation.

Nation's No. 2010
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~is~~ entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that he never complied with the provisions of the treaty of 1866 between U. S. & Cher Nat ~~through whom the petitioner claims to derive right to citizenship in the Cherokee Nation~~ is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings Hutchings & Brandon Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this the 20 day of Feb 1896.

D. L. Ball
NOTARY PUBLIC.

John G. Sieber being first duly sworn says that he delivered a copy of the applications and evidence in the case of Abb. Nivens for citizenship in the Cherokee Nation, to Hon. S. H. Mayes Chief of the Cherokee Nation at Tahlequah I.T. this 8th day of Sept. 1896

John G. Sieber

Subscribed and sworn to before me this 8th day of September 1896

A. G. St. Sauge,
Notary Public.

#221
Abb Nuvins.

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Indian Territory Northern District S.S.
In the matter of the application of Abb Nivens for citizenship in the Cherokee Nation.

Jerry Martin being first duly sworn deposes and says as follows to wit;"

That he is well acquainted with Abb Nivens, served in the Army with him and has known him since boyhood. He is about 65- five years of age, is of African descent and was owned by John Nivens or wife who lived at the Ferry on the Arkansas River between Muskogee and Ft Gibson. That said Abb Nivens has resided in the Territory all his life, and resided at Ft Gibson in 1865- and resided there until 1870 when he moved to the Creek Nation. He was for many years recognized as a citizen of the Creek Nation, but within the past thirty days has been stricken from the rolls of said Nation. His wife is of African descent and a Creek Slave, and has always resided in the Creek Nation, by whom

the said Abb Nicus has a number
of Children.

Jerry Martin

Subscribed and sworn to before me this 31st
day of August 1896 John L. Sieber
Notary Public.

The applicating Abb Nivens
for citizenship in the Cherokee Nation

Abb Nivens makes applic
ation for citizenship in the Chero-
kee Nation and states the following
facts to support his Application: Viz:
He states That he is of African
descent, and was owned at Webber's
Falls in the Cherokee Nation, and
was owned by Jno Nivens & wife
when the War broke out, and
has resided in the Cherokee Nation
all his life; subject to the exceptio
of it is an exception; that he enl
about two & half years in the
U.S. Army and from time & time
was in Arkansas & Missouri & Kan
sas as a soldier. That he remain
ed and was mustered out at Fort
Gibson, his service ending May
31, 1865. After said time he remai
ned in the Cherokee Nation for about
five years, when he removed to
the Creek Nation where he has
ever since.
That what some members of
Sixteen years he was placed upon

Abs Memo.

the order of the Creek Nation by act of Council, and his name appears on the roll of citizens of the Creek Nation (1893) page 102, which is

That recently his name has been stricken from said Creek roll by the citizenship Commission upon the ground as he is informed that this applicant is a Cherokee citizen and not entitled to citizenship in the Creek.

He states further that he married Nancy Ann Tiger in 1864 who was a Cherokee by blood and was a citizen and enrolled by Jno. McGilbra a Creek citizen. at the time of said marriage his wife was residing in the Cherokee Nation.

Wilson Fisher.
Atty for Applicant.

Whereupon he prays that he may be declared a citizen of the Creek

Subscribed and sworn to before me this [illegible] day of August 1896. John Tyler

ABB NEVINS, ET AL.,)
vs.)
CHEROKEE NATION.)

In this case applicant admits that he has abjured his citizenship, which he never did claim that he had, or at least forfeited his rights to citizenship in the Cherokee Nation by moving to the Creek Nation, taking all his effects with him, marrying a Creek citizen, and enjoying all the rights and privileges of a Creek.

It is admitted that were it not for an illegal Act of the Creek Nation that he would be a Creek citizen.

This is another one of those "Freedmen" cases, over which we assume that this Commission will not take jurisdiction, in-as-much as a special Commission has been appointed to make a roll of all freedmen entitled to citizenship in the Cherokee Nation.

Harrison Redding & Benedict

Attorneys for the Cherokee Nation.

End

55536

REGISTRY RECEIPT.

Post Office at VINITA, IND. TER.

Registered Letter / Parcel / No. 242 Rec'd Sept 4 1896

of J D Cox

addressed to Hon C H. Mayes
Tahlequah I. T.
D A Bayless P. M.

Commission to the Five Civilized Tribes.

VINITA, IND. TER., ... 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, J. D. Cox, do solemnly swear that on the 4 day of Sept, 1896, I saw a package registered at the postoffice at Vinita I. T., addressed to Hon C. H. Mayes ~~Governor~~ or Chief of the Cherokee Nation, Tahlequah Ind. Ter., that registry receipt, No. 242, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Dr Julius M. Green et al and of the affidavits of Lennea E. Taylor & A. Porter and Julius M. Green in support of same.

J. D. Cox

Subscribed and sworn to before me, on this 4 day of Sept 1896.

D Hill

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

Southern District
of the Indian,

I Laura. E. Taylor. do Solemnly Swear
that I am one quarter Cherokee Indian by
blood. my age is 54 years. I am a duly
recognized Citizen of the Cherokee nation and is
my Maden name was Laura. E. Welch. I
was borned in Cherokee County N.C. that
have three brothers in the Cherokee Nation
who are recognized Cherokee Citizens I drew
my per capita Cherokee Strip money in 1894
my Brothers were readmited by the western
Cherokees and drew their per capita strip
money. I am well acquainted with Eugenia.
V. Greer. Nee Eugenia. V. Parker. who is a sister
to Edwin. A. Parker. and a daughter of Willis
Parker who was a son of Leoma. Parker Nee
Leoma. Blythe. who was a daughter of. Annie
Blythe. Nee Annie. Bonner. who was
a half Breed Cherokee Indian. and resided
in the old nation in the Territory which is
now Cherokee Co N.C. the said Eugenia. V.
Greer. Nee Eugenia. V. Parker. is a Cherokee
Indian by Blood her father willis. Parker.
drew money from the U.S. Government and drew
farming tools. blankets &c. and went to the
Cherokee Schools and sent his children all
to the Cherokee Schools in North Carolina
the said Eugenia. V. Greer. Nee Eugenia
V. Parker has seven children as follows

Lewis. M. Greer. 22. years old
Lula. E. Greer 20 "
Bertie Greer 18 "
Henry Greer 14 "
Frank Greer 12 "
Grade M. Greer. 8 "
Maria. V. Greer. 3 "
the said Eugenia V Greer Nee. Eugenia V. Parker is a first-Cousin of mine and I know her to be a cherokee Indian by blood and entitled to citizenship in the Cherokee Nation.

Laura E Taylor

Sworn to and subscribed before me this the 2nd day of Sept-1896

J. D. Cox
Notary Public

my Com Ex pires June 16-1897

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C Armstrong, Archibald S McKennon, Thomas B. Cabiniss and Alexander B. Montgomery, United States Commissioners, authorized by an act of Congress of June 4th 1896, to hear and determine claims for citizenship in the Cherokee Nation;

GENTLEMEN:—

The undersigned, your petitioner, Julian M. Green for and on behalf of his wife, Eugenia M Green and her heirs

and heirs, this day make their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and Petitioner state that She is a Cherokee Indian by blood, deriving the same from her Grate Grandmother Annie Rose nee Annie Bee and from her grandmother Leona, C Blythe nee Pankey and from his father Willis, Pankey,

whose name will be found on the authenticated rolls of the Eastern Band of Cherokees by blood, taken in the years 1848 & 50 on the Western Rolls of 1852 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of Cherokee citizens, and petitioner herewith files proof in support of said claim, and repesctfully awaits the time when her application shall be heard and tried.

Rerpectfully submitted,

J M Green

On behalf of my wife Eugenia M Green

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Julian M. Green.	45	husband of Eugenia M Green
Eugenia M Green.	42.	Wife
Linda M Green	22.	Daughter
Lula E Green	20	Daughter
Bertie Green	18	Daughter
Henry Green	14	son
Ernest Green	12	Son
Gracie M Green	8	Daughter
Marie V. Green	3.	Daughter

IN WITNESS WHEREOF I hereunto set my hand this 1st day of Sept 1896.

J M Green

On behalf of my wife Eugenia M Green
Nee Pankey and her Heirs

United States of America.
Indian Territory,
Northern District

Julius M. Green of lawful age being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

Julius M. Green

Subscribed and sworn to before me on this the 1st day of Sept 1896

J. D. Cox
Notary Public.

My commission expires My Com Ex June 15th 1897

J.

[illegible] Henry A. Davis. Grant
[illegible] Armstrong. Archibald. William
[illegible] Columbus Alexander
Montgomery Dawes Choctaw Commissioners
Authorized by an act of Congress
Approved June 28th 1898. to hear and
determine claims for Citizenship
in the Choctaw Nation.

Gentlemen: I [illegible] respectfully
petition your Honorable Body for
enrollment as a citizen by blood of
the Choctaw Nation, by virtue of the
provisions of the act of Congress
approved June 28th 1898. and in support
of my petition I submit the affidavit
of Laura E. Dayton, who is a first
Cousin of your petitioner who
is a Choctaw Indian by blood
recognized as such by the
Choctaw Authorities who was
She was raised in the same
County and State of your petitioner,
and derived her Choctaw blood
from the same source to wit

Julius M. Greer, et al.)
)
vs) ss.
)
Cherokee Nation.)

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thos. B. Cabaniss, and Alexander B. McDonery, United States Commissioners, authorized by act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Julius M. Greer, on behalf of his wife and her heirs, makes this, their petition to you for the purpose of being placed on the revised rolls of the Cherokee Indians and of those entitled to share in the distribution of funds and allotment of land in the Cherokee Nation, by virtue of their Cherokee blood, and herewith submit the application and proof in support of this their petition, to wit:

Affidavit of the said Julius M. Greer, your petitioner herewith showing that he is the lawful husband of Eugenia V. Greer, nee Parker, who was the daughter of Willis Parker and the granddaughter of Leoma Parker, nee Blythe, and the greatgranddaughter of Anna Blythe, nee, Barnes; that as she has seven Children who are entitled to citizenship in the Cherokee Nation. Affidavit of Laura E. Taylor who shows that she is one-fourth Cherokee Indian, fully recognized by Cherokee authorities, and as citizens of the Cherokee Nation in support of the above facts. And the affidavit of Edwin A. Parker who is a brother of the said Eugenia V. Greer, in support of the same. And respectfully call your attention to Articles 1, 3, and 10 of the treaty of 1846, believing that the evidence herewith filed and cited to be sufficient and knowing the justice of his application I submit the same believing that your Honorable body will restore me and my family to full citizenship with all the rights and privileges of other Cherokee Indians in the Cherokee Nation.

Julius M. Greer

No 826

9336

Jackson McGee

vs

Cherokee Nation

Filed Sept 4 1906

A S McKennon

Clerk

NORTHERN DISTRICT, }
INDIAN TERRITORY. } ss.

Edwin A. Parker being duly sworn states on his oath that he is 37 years of age; that he is well acquainted with Dr. Julius M. Greer, and with Eugenia V. Greer; that Dr. Julius M. Greer is the lawful husband of the said Eugenia V. Greer, who is a sister of this affiant. Affiant further states that Willis Parker and Adaline Parker are the parents of both affiant and Eugenia V. Greer. That the said Willis Parker is a son of Leoma Parker, nee, Blythe, who was a daughter of Anna Blythe, nee Barnes, who was a half breed Cherokee Indian and residing in the Old Cherokee Nation, In Cherokee County, North Carolina, and that the said Eugenia V. Greer was one-sixteenth Cherokee Indian, and acknowledged to be such by the officials of the Eastern Band of Cherokees as will be seen by reference to the affidavit of John Ross, Chief of the Eastern Band of Cherokees, which is now filed before the Hon. Dawes Commission in support of the petition of the affiant, Edwin A. Parker.

Edwin A Parker

Seal

Subscribed and sworn to before me this 3d, September , 1896.

J. D. Carr
NOTARY PUBLIC

My Com Ex. June 15-th 1897

Nation's No. 9392

Commission's No .....

In re Application of

James M. Gunn
et al

Demurrer and Answer.

FILED SEPT. 28 1896.

A. S. McKENNON

Clerk

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
James M. Starr et al
for citizenship in the Cherokee Nation.

Nation's No. 2398-

Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Annie Bleyhl through whom the petitioner claim to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

See case 2261-

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings & Hutchings & Bouldin Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 22 day of Sept, 1896.

D. F. Ball
NOTARY PUBLIC.

Affidavit of
Julius. M Shaw

Southern District
of the Indian Territory

Julius M Green being by me duly
sworn states on his oath that he is the
child of Eugenia V. Green who is a Choctaw
Indian by Blood, deriving the same from
her Grand mother as set forth in affidavit
herewith filed. Sworn that there are 7
Children by the said Eugenia V. Green. Nee
Parker, viz: Louis M. Green age 22.
Linda E. Green age 20 Bertie Green age
18. Harry Green age 14. Frank Green
age 12. Frank M. Green age 8. and
Mattie V. Parker age 3 that the above
named children are living the said Eugenia
V. Green Nee Parker and that the
Eugenia V. Green Nee Parker is a sister
to Elmira A. Parker Nee Parker
Joseph V. Parker, Jeff D. Parker Jennie
L. Parker, Mary E. Parker and Jane Parker
L. E. Mitt Nee Parker, and Mary E. Mott
Nee Parker, who are all citizens by
blood affiant further states that he
is a citizen of Cumberland District
Choctaw nation

Julius M Green

Sworn to and subscribed before me this
the 1st day of Sept 1902

End

5537

3079

Nation's No.

Commission's No.....

In re Application of

W. F. Williams, et al.

Demurrer and Answer.

FILED SEPT. 21 1896.

A. S. McKENNON

Clerk

Before the Honorables. Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

E. F. Williams, et al. Nation's No. 3079.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Butler Garrison,

through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Houdlot. .....Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 25 day of Feb. 1896.

J. F. Ball

NOTARY PUBLIC.

4222 5337

E. F. Williams

v.

Delaware Western

Filed Sept. 10. 1896.

Affirmed

Dennison

United States of America
Northern District of the
Indian Territory } ss

Mary Williams, being by me duly sworn, deposes and says her name is Mary Williams that she is yrs of age that she knows Butler Garrison that some time during the month of May 1883 she was joined in Wedlock Union to the said Butler Garrison, who was a Cherokee Indian by blood, that there was borned to son as the result of said Marriage, Who now lives in the Creek Nation, and his name is Eliga A Garrison, that wife's maiden name was Mary Lanny before she married the said Butler Garrison, that Butler Garrison being dead She has since remarried, and her name is as afore stated.

That Butler Garrison during this married life enjoyed all the rights privileges and immunities as other Cherokee Indians by blood.

X Mary [illegible] Williams
mark

Subscribed and sworn to before
this 8 day of Sept. 1896.

x Thos. F. Fromm
Notary Public

1900

United States of America
Central Dist of the } SS.
Indian Territory

I. S. Creech, being by me duly sworn deposes and says this name is I. S. Creech, that he is 37 years of age, and a resident of the Choctaw Nation and his post office ~~Atoka~~ is McAlester I.T. That he was personally acquainted with Butler Garrison, that he has known the said Butler Garrison for ~~the past~~ 4 years and knows that he was a Cherokee Indian by blood, that he enjoyed all the rights and privileges of other Cherokee Indians by blood. That his name should appear on the Cherokee rolls Affiant further states that the said Butler Garrison was recognized by all who knew him to be a Cherokee Indian

xI. S. Creech

Subscribed and sworn to before me this the 7 day of Sept 1896.

[illegible] Fowler
Notary Public

Application for Enrollment.

Before the United States Commission
To the Five Civilized Tribes of Indians.

E. F. Williams Et Al. Petitioners. } Application for
vs } Admittance and
Cherokee Nation 2nd Term Respondent } Enrollment.

To the above Named Honorable Commission.
Your petitioner E. F. Williams for
and on behalf of Elija A Garrison
a minor, states that his father
Butler Garrison was a Cherokee
Indian by blood, was duly
recognized by the proper authorities
as such in the said Cherokee
Nation, and he enjoyed all
the rights, benifits, privileges
and immunities of other
Cherokee Indians by blood
in the said Cherokee Nation
or Tribe of Indians.
I herewith submit the affidavit
of Mary Williams & D.S. Creech
in support of said claim
and respectfully await the
time when his application
shall be heared and tried.

Respectfully Submits
x E F Williams
Enrollment of family
Elija A Garrison 12 years of age

a son of Butler Garrison.
In Witness of which I hereunto set
my hand on this 8 day of Sept 1896.
X & M Clinton

Your petitioner avers these facts
can be established by proof to
the satisfaction of the Commission
under such laws and regulations
as it may prescribe, And he
further avers that these facts
being proven he is entitled to be
adjudged under the laws of
such Nation and the laws of
Congress of the United States
and the Treaties of such Nation
with the United States, a Citizen
of such Nation with all the
rights, benefits, privileges &
immunities of a Cherokee
Indians by blood.
Therefore— he herewith respectfully
submits to the consideration
of the Honorable Commission
such proof and on the hearing
that he be adjudged entitled
to such Citizenship and being
placed upon the proper roll
such Nation or Tribe of Indians
Your petitioner will ever pray &c.

The afore named petitioner
E. F. Williams says the facts
set forth in the foregoing
petition are true and Correct
to the best of his knowledge
and belief.

x E F Williams

Subscribed and sworn to before
me this 8 day of Sept. 1896.

x Thos. F. Turner
Notary Public

1900

End

5538

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of ..... and.....children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which.....claim is based are as follows, to-wit:

That the name of your is Rachel A Northington; that She is about 20 years of age; that her post-office address is Detroit, Lamar County, Ala. That She is an admixture of white and Cherokee and is at least one-sixteenth Cherokee blood. That She derives Cherokee blood from her mother, the late [illegible] Evans, who was one-eighth Cherokee blood, and who was the daughter of the late William Thos. Evans, ~~who~~ That the said William Thos. Evans was born in the State of Tenn., and was one-fourth Cherokee blood, and was the son of the late James Evans. That the said James Evans was born near what is now the City of Chatanooga, then known as Ross Landing in what is now known as Hamiltion County, State of Tenn., then the Cherokee Nation, and who lived with and among the Cherokees all of his life, and who spoke the Cherokee Indian language, and who was a half-blood Cherokee Indian, and who was a recognized citizen and member of the Cherokee tribe of Indians, and of the Cherokee Nation.

That your petitioner has intermarried and by such intermarriage there were born, and are now living, the herein below mentioned children. That, said children are of ~~the~~ Cherokee blood.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Affidavit of William Green Evans.

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

Rachel A Northington
Applicant.

NAMES.	AGES.	RELATIONSHIP.
L. L. Northington	19	son
W. L. "	16	"
L. L. "	12	"

The State of Ala
Lamar County

~~Indian Territory~~
.....~~District~~.

Personally appeared before me, the undersigned, a Notary Public within and for the County of Lamar State aforesaid and aforesaid Rachel A Northington, who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as she verily believes.

Rachel A Northington

Subscribed and sworn to before me this the 5 day of Dec 1898.

John H Ray
Notary Public.

My commission expires on the..... .....day of 1898

~~No~~ 5528

Rachel Nottingham

vs

Cherokee Nation

Filed Sept. 10. 1894
H. Hefner
Clk

To be filed with
Miscellaneous Papers

Joseph R. Mullen
Atty
South Mc. Alester

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF Rachel A Worthington

FOR ADMISSION TO CITIZENSHIP IN THE Cherokee NATION.

STATE OF Alabama)
COUNTY OF Lamar) SS.

Before me, the undersigned, a Notary Public in and for the County and State aforesaid Personally appeared William Green Evans who, being by me duly sworn states: That he is years of age, a resident of the State of Alabama and County of Lamar and that he is personally acquainted with who is an applicant for citizenship in the Cherokee Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Rachel A Worthington is an admixture of white and Cherokee, and is at least one-sixteenth Cherokee blood. That she derives her Cherokee blood from her mother Mary A Evans who is the daughter of Willam Thos. Evans. That this affiant was partly-raised with the said William Thos. Evans, and this affiant knows that the complexion and physical appearance of the said William Thos. Evans indicated very strongly that he was of Cherokee blood and descent. Affiant further states that the said William Thos. Evans taught him from his earliest infancy that he, the said William Thos. was of Cherokee descent, and that he was one-fourth Cherokee blood, and that he was born in Hamilton County, State of Tenn., and that he was the son of the late James Evans, who was one-fourth Cherokee blood, and who was a member of the Cherokee tribe of Indians, and who resided near what is now the ~~xxxxxx of Hamilton~~ the City of Chatanooga, in what is now the County of Hamilton in the State of Tenn., and who was born in the same county in about the year of 17..., and died there in the year of 1835.

Affiant further states that he knows that the said Rachel A Worthington is the identical person that she represents herself to be in her application for Cherokee citizenship, and that She, the said Rachel A Worthington is a direct lineal descendant of the late James Evans great Cherokee Indian family; and that She ~~xxxx~~ ~~xxxx~~, the said Rachel A Worthington and his ~~her~~ descendants are rightfully and justly entitled to the rights of citizenship in the Cherokee Nation, by virtue of their Cherokee blood.

Affiant further states: That he has known the said Rachel A Worthington for the past forty years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee Indian blood and that the complexion and physical appearance of the said Rachel A Worthington indicate that she is of Cherokee Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said A Worthington he believes the said Worthington to be a descendant by blood of the Cherokee Indian tribe.

W G Evans

Subscribed and sworn to before me this 8 day of Dec. 189 6

John Thomas

NOTARY PUBLIC.

My commission expires in Dec 96

BALLARD SMITH PRINT.

End

Nation's No. 2034

Commission's No. .....

In re Application of

Alice Hadley
et al

Demurrer and Answer.

FILED SEPT. 1896.

T. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Alice Ashley et al

Nation's No.

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~is~~ entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Sally Smith through whom the petitioner claims to derive her right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that ~~his~~ her name does not appear on any of the authenticated rolls of said Nation; that neither she nor any of ~~his~~ her ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES. Principal Chief Cherokee Nation.

By Hastings, Hutchings & Bond Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L Adair.

Subscribed and sworn to before me this, the 18 day of Sept 1896.

E. J. Ball

NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Afton Ind Te

Registered Letter Parcel } No. 102 Rec'd Sept 7 1892

of W B Watkins

Afton IT

addressed to Hon S H Mayes

Tahlequah IT

James P Thompson P.M.

United States Court)
Northern District,) ss.

I J H Ally to solemnly swear that on the 7 day of Sept. 1898 I saw a package registered at the postoffice at Afton, Ind. Ter. addressed to S.H.Mays Chief of the Cherokee Nation, Ind. Ter. that register receipt No. 10c received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of W. H. Watkins, and of the affidavits of A H Barlow and Sarah Marsh and Allen ------ and ------ ------ in support of same.

J. H. Ally

Subscribed and sworn to before me on this 7 day of Sept. 1898.

W B Hubbard
Notary Public.

My commission expires Aug 6 1898

Original

BEFORE DAWES COMMISSION.

Application for Enrollment to

CHEROKEE CITIZENSHIP.

Alice Hatley and family

— Original —

Before Dawes Commission.

APPLICATION FOR ENROLLMENT TO CITIZENSHIP IN CHEROKEE NATION.

STATEMENT.

Personaly appeared before me Robt N. Patterson a Notary Public in and for McDonald County State of Missouri and whose term of office expires Mch 16th 1899 Alice Hatley who afd. being duly sworn makes statement as follows:- I am about 28 years of age was born in Lawrence County State of Missouri I am the identical person represented in certain affidavits hereinth filed. Was married on the 4th day of sept. 1894 to Elijah Hatley. I have two living children from said marriage to wit:

Artie Almeda age 7 years.
Lulu Melvina " 6 "

Now comes said Alice Hatley and prays your Hon. Commission that she and her children as above stated be re-admitted to her rights of citizenship in the Cherokee Nation in virtue of her being a direct descendant of Sarah (Sally) Griffith who was enrolled as a member of the Tribe in the year 1838.

For which your petitioner will ever pray.

Signed:-
Alice Hatley

attest:-
J. P. Ingledew
J. W. Chandler

And I do hereby constitute and appoint ~~Hon. Geo. W. Reese, of Tahlequah, Cherokee Nation, and J. W. Crowder~~, of Fairland, Indian Territory, my true and lawful attorney for and in my stead to prosecute my claim to citizenship, giving and granting unto them full authority in the premises.

Sworn to and subscribed before me on this 2" day of Sept 1896.

R. N. Patterson
Notary Public

My Commission Mch 16 1899

Original

AFFIDAVIT

CHEROKEE NATION
vs.
Alice Hatley
} CITIZENSHIP.

Personally appeared before me, an acting Notary Public in and for the 1st Judicial Division Indian Ty. John Barlow
who, after being duly sworn as the law directs, deposeth as follows, to wit:

I am 48 years of age, I am personaly acquainted with Alice Hatley having known her from Childhood. I know her to be the legitimate daughter of Sarah Alexander. whose mother Elizabeth Gibson was the daughter of Sarah or Sally Griffith. said Sally Griffith I was always told was a half breed Indian woman of the Cherokee Tribe having been born so I was told in the Old Cherokee Reservation East of the Mississippi River. —

I am knowing to the fact that Alice Hatley is a direct desendant of said Sally Griffith aforesaid having known the family intimately for over 40 years. I have no interest pecuniary or otherwise in the matter.

Further deponeth sayeth not.

Signed.—
John Barlow

Witness
J A Reece
Robt alle

Sworn to and Subscribed before me on this the 3d day of September 1896.

B. F. Johnson
Notary Public

My Term of Office Expires June 20th, 1897.

Original

AFFIDAVIT.

No. 2.

Alice Hatley and family

vs.

CHEROKEE NATION.

Affidavit of

Sarah Winters

5

Original

AFFIDAVIT

CHEROKEE NATION

vs.

Alice Hatley

} CITIZENSHIP.

Personally appeared before me, an acting Notary Public in and for the County of McDonald State of Missouri Sarah [illegible]inters who, after being duly sworn as the law directs, deposeth as follows, to wit:

I am 5[illegible] years of age. I am personaly acquainted with Alice Hatley having known her from Childhood and know her to be the grand-daughter of Elizabeth Gibson whose mothers name was Sarah or Sally Griffiths who was borned in the Old Cherokee reservation East of the Mississippi River and who was always said to be a half-breed Cherokee woman-people who knew her best always spoke of her as a Cherokee.

I am personaly knowing to the fact that Alice Hatley is a direct descendant of said Sally Griffiths being a grand daughter of Elizabeth Gibson who was a daughter of Sally Griffiths. I have no interest pecuniary or otherwise in the case.

Further deponeth sayeth not

Signed-

Sarah winters

Witnesses

J. P. Madden

J. W. Chandler

Sworn to and Subscribed before me on this the 2nd day of Sept 1896.

R. H. Patterson

Notary Public

Term Expires May 16th 1899

Original

AFFIDAVIT.

No. 1

Alice Hatley and family

vs.

CHEROKEE NATION.

Affidavit of

A H Barlow

Original

AFFIDAVIT

CHEROKEE NATION
vs.
Alice Hatley & family } CITIZENSHIP.

Personally appeared before me, an acting Notary Public in and for the County of McDonald State of Missouri A H Barlow who, after being duly sworn as the law directs, deposeth as follows, to wit:

I am 78 years of age was borne in the state of North Carolina about the year 1818 I am personely acquainted with Alice Hatley having known her from childhood - her maiden name being Alice Alexander her mother Sarah Alexander being the daughter of Elizabeth Gibson said Elizabeth Gibson being the daughter of Sally or Sarah Griffiths, said Sally Griffiths being born and raised in the state of Tennessee in the old Cherokee reservation where I knew her. I was personaly acquainted with the woman Sally Griffiths who was sometimes called Sarah and she was always known and recognized as a half breed Indian woman of the Cherokee Tribe. Her complexion and other Char=-acteristics was such as to lead one to belive her an Indian and she was always spoken of among the people who knew her as an Indian. She removed to Rutherford County Tennessee and was frequently visited there by her relatives from the Nation who are called Indians. I am personaly knowing to the fact that Alice Hatley is a direct descendant of said Sally Griffiths having known the family for some 50 years. Further than this the affiant sayeth not.

Signed.
A. H. Barlow

Witnessed:
N. F. Miller
S. W. Anderson

Sworn to and Subscribed before me on this the 2nd day of Sept 1896.

R. G. Patterson
Notary Public

Term Expires May 19, 1899

End

To the Hon.
Dawes Commission
Vinita - I.T.

Your Petitioner, to wit:
Asa Guinn, John Guinn, Mary Webb nee
Guinn, Lafayette Guinn, and Rose
Ann Ward nee Guinn, would re-
spectfully represent that they are Cher-
okee by blood - that Asa Guinn is the
son of Almon Guinn a Cherokee Indian
who lived and was recognized as such
by the Cherokee Indians in the State of
Tennessee and is also a full brother
of Newnana or Newnang Mitchell nee
Guinn who established her Cherokee
Indian blood before the Cherokee Supreme
Court as is evidenced by the Chief Justice's
Certificate accompanying this petition.
Also by the Certificate of T. W. Triplett
District Clerk for Tahlequah District
Cherokee Nation that marriage license was
issued to Newnang B. M. Mitchell a
white man to marry Newnang Guinn
a Cherokee Indian by blood.
Your Petitioners would further represent
that John Guinn, Mary Webb nee
Guinn, Lafayette Guinn, and Rose
Ann Ward nee Guinn are full
brothers and sisters and the sons

and daughter of Asa Laurin the first named in this petition - these facts are established by the affidavits of Asa Laurin, W.P. Bondurant, Wilson Sanders, John Martin and Allmon Martin -

Your petitioners would further represent that they have petitioned the Cherokee authorities for citizenship and have been refused And when asked a short ago for the evidence submitted in their favor it could not be found -

Your petitioners would further represent that all of them except Mary Webb are Laurins are recognized citizens of the Cher. Na Nation by adoption, but are denied the rights and privilege and immunities of Cher Na citizens by blood

Your petitioners therefore upon the above Statements of facts would ask Your Honorable Commission to enroll and recognize them as Cher Na Citizens by blood with all the rights that thereto attach - And to this end will ever pray.

Lafayette. Guinn

Sworn & Subscribed to before me this the 29th day of August A.D. 1896

S. I. Bayles Notary Public
Northern District I.T.

Nation's No. 483

Commission's No. .....

In re Application of

Asa Gunn, et al.

Demurrer and Answer.

FILED. SEPT. 21 1896.

A. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of .....

Asa Gunn et al. Nation's No. 483

..... Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Misurater Gunn through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof by virtue of their Cherokee blood.

1

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Bruner .....Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16th day of Sept. 1896.

D. J. Ball

NOTARY PUBLIC.

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

Tahlequah, Indian Territory, August 21st 1896.

Without waiving legal service, or hereby entering an appearance for the Cherokee Nation, we acknowledge the receipt of the following documents, purporting to be copies of the originals:

Petition (joint) of Asa Gunn, Jno. Gunn, Mary Webb nee Gunn, Lafayette Gunn, and Rose Ann Hobbs, nee Gunn, with affidavits of Wm. P. Beaumont and Wilson Saunders, Jr.

WILLIAM W. HASTINGS,
FRANK J. BOUDINOT,
WILLIAM F. HUTCHINGS,
Attorneys for the Cherokee Nation.

By Frank J. Boudinot

neor then until I was Nineteen years old
Nancy Guynn is my Mother and my
father was a Cherokee named Wm
Martin who was a son of Sam Martin
Allen Martin after being Sworn.
confirms the Statement Made above
by John Martin and further States
that he was at Tahlequah when
Newrony Guynn Submitted her evidence
before the Supreme Court.

Sworn to before me April 11th 1873
Geo. O. Sanders Clerk
Court of Commission

Executive Department C. N.
I hereby certify that the above and
foregoing is a true and correct copy
of the original as appears of the records
of this Office
this 12th day of } W. P. Mayes
aug 1896 } asst Executive Secty

Cherokee Nation } Personally before me Arch
Sah-leyuah-Leith } Ellis, Clk. Assistant, or Sah-
-uly of Sah-leyuah-Leith, came this day Wm. P.
Brewster of lawful Age and duly sworn to
That he is 66 years of age and a lawyer by pro-
fession - before the Courts of the Cherokee Na-
tion. Deponent further says that he prosecutes the
claim of Messrs Commissioned Miners / Claims
for Cherokee citizenship before the Supreme
Court of the Cherokee Nation in the winter or
Spring Term of 1871, during the time when said
Claims emplaced by Act of the National Council
passed and approved in the latter part of 1869
as will be seen from the Records of Statutes of
the Nation on file in the Executive Office &c.
That judgment was rendered by said Court
in favor of the said Mesdames Glenn, and
the premises by the Court entitled to citi-
zenship in the Cherokee Nation, and [redacted]
[redacted] to that
effect [redacted] rendered

to leave as evidence ~~in said cause~~
Sepronus from the logs that, the Natives
Claimed in 1873 ordered a reinvestigation
of the claim of Aurora Thorn, with the
claims of the other persons who had been ad-
mitted or declared to be citizens of the Nation
by the Court Sepronus Court, upon the ground
as stated by the Statute, that the decision of
the Agent in their favor had been obtained
by fraud. That in due time the said cases
were called for reinvestigation by the Chief
Justice from Delay Riggs, who ruled that the parties
against whom fraud was alledged, should
take the affirmative, and prove their rights to
citizenship to his satisfaction the same as though
no hearing of their claims had ever been had.
If they produced sufficient proof to satisfy him
(the Chief Justice) of the validity of their claims
thereon, no fraud in the former trial would
be found against them. If they did not,
the decision would be that they had been guilty
of fraud. Sepronus from the logs that he
as Atty for Aurora Thorn, Robt Walker
Jno. B. Cobb, Locke Kelly's wife, and

to 4

Jane Lollahite, with other Attys for the said parties protested against the said Ruling of the Court, and refused to answer, only as Subpoenaed against the charge of Silence; as, in their opinion the Act of Council required them to do. Nevertheless the Court called the said Parties, who having refused to answer for the reasons stated, were declared by the Court to have forfeited their Right to cittizenship by silence and to be reported to Council by the Chief Justice. Subpoena for the Rays that he made a Representation by Memorial to the same Council, of the facts of the matter as above stated by Subpoena, and that as the Result, the Report of the Chief Justice and their finding adverse to the said parties, were "Laid on the Table," and nothing more was done in respect of the claim of Mulana Hamm & others claiming to

Session of the Nat. Council
A year or two afterwards the Council declares the said parties ini-
tiators, upon the basis of the adverse
Report of Chief Justice Keys. Since
that time to wit: about the year 1886
the Council cited Robt. O Blather, one of
the aforesaid Seven alleged fraudulent
claimants to answer the charge of fraud
before a Commission or tribunal which
Commission, upon his appearance and
answer, did try the charge, and decided
and declared he found to have been
committed or attempted by the Claim-
ant. Deponent is unable to say what
course was then, or has been since, taken
by the National Authorities in the case
of Mr Blather Genin, per cause leaving or
other hands.

Sworn & subscribed
Before me This Aug 26th 1896 D. M. Beecher
Ash Spicer
Deputy Clerk
Tahlequah District
I.T.

#6

[illegible] [illegible]
[illegible] 1845.

Personally this day before me
Nick Sparks, Justice of
the Peace [illegible] came
one Nelson Sanders who being
by me sworn according to law
states, that he is a Religious by
Creed of the Cherokee Nation
lives in Cherokee Nation,
He states that he knew
Almon Stevens, Peter Stevens
& Mercer Stevens Mixedbloods
Cherokee. That he
knew Mercer, Stevens to
be a Cherokee by blood, he
being about 3/4 Cherokee, and
that he lived about two miles
from Mercer Stevens
~~the State of Georgia~~ and was well
acquainted with him and
knew him to be a Cherokee.
He further states that Nancy
Beck Batt and Asa Stevens
to be Children of Mercer Stevens
and knew them to be Cherokees.
Deponent states that he lived
on the line of Georgia & Tennessee
on the Georgia side and Mercer
Stevens on the Tennessee side.

his
Nelson X Sanders
mark

7.

Subscribed & Sworn to before me on
this the 17th day of August 1896.
Jack Spencer
Deputy Clerk
Jefferson Parish.
C. H.

Office of Commission on Citizenship
Tahlequah C.N. January 8th 1888
J N Guinn et al
vs
Cherokee Nation

Asa Guinn called and sworn on behalf of the claimants
Testifies as follows

My name is Asa Guinn I am a Cherokee, I live in Tahlequah dis. Cherokee Nation. I am a citizen of the Cherokee Nation my age is 54 years I am the father of the applicants J.N. Guinn and Mary Webb, I was always known and claimed to be their father I recognize them to be my children J N Guinn the applicant has three children. Asa Guinn, Budd I don't recollect what his real name is) John. Mary Webb has only one child. his name is Charlie. The applicants J N Guinn and Mary Webb now reside in Tahlequah dist, I am the brother of Rensona Mitchell - full brother. We derive our Cherokee blood from our father. His name was Allen Guinn. I always heard him say he derived his Cherokee blood from his Mother. I guess my father had about one

one eighth Cherokee blood

Cross Ex

I am older than Ramona Mitchell
I have seen my grand Mother on my
Mothers side, I never saw my grand
parents on my fathers side they were
dead before I cared. recollect. my rights
have never been proved up. I was
told that it was only necessary for me
to prove, that I was a full brother to
those whose rights were proved, and I
did so, but my name was put upon the
doubtful role and it stands so yet. My
father lived in Tennessee: That is was
when the Cherokees lived back there on
a little river Ocowee, and just above
where I lived it was called Tahcowee.

Asa Guinn

Executive Department C. N,
I Hereby certify that the above and
foregoing is a true and correct copy
of the original as appears of the records
of this office
This 12th day of } W. F. Mayes
Aug 1896 } asst Executive Secty

Case of Asa Guyne Nancy Guyne and Bartholomew Guyne Applicants for Citizenship

Asa Guyne after being Sworne says that his father had often said that he (Father) was a part Cherokee and that he (Father) lived on Coosa, at the corner of Tennessee and North Carolina and that he Asa Guyne is a full brother to Nancy Guyne, and also to Nancy Guyne and Bartholomew Guyne applicants in this application. My Sister Nancy Guyne has proven her right to Citizenship and has since married a white man by the name of Mitchell. I think my father derived his Indian Blood from my Grand father but am not certain, I do not know what portion of Cherokee blood my father was but suppose it not more than one quarter Indian My Fathers name was Abram Guyne.

John Martin being sworn to testify in the above application says;

The applicants Asa Guyne, Nancy Guyne & Bartholomew Guyne are Free Coloured ufk as Brothers and Sisters so far as I know, I have lived

"Copy"

This is to certify Nerrana Mitchell (formaly Nerrana Guinn) late of the "Old Cherokee Nation" came with [redacted] on yesterday the 31st of October, and proved to my satisfaction that she is of Cherokee blood, and entitled to all rights and privileges as such. Given under my hand officially the 1st day of November 1871

John S Vann
Chief Justice S.C.

I certify the above a true copy from the original presented by Guinn on the 1st day of November 1873 and now in his possession

W H Turner
Clk Supreme Ct.

I certify the above is a true copy of the original on file in this office
Given under my hand and [redacted]
Office This the 1st day of Oct [redacted]

[redacted] C.C.C.N

Executive department C. N.

I hereby certify that the foregoing is a true ~~copy that the foregoing~~ is a true and correct copy of ~~this~~ certificate of John S. Vann supreme Judge and ~~W. H. Parmer~~ and Mark Bean clerks of the supreme court as appears of the records of same

this 12th day of aug 1896

W. H. Mayes
asst- Executive Secty

~~No~~ 544

Ana Sims

Cherokee Nation

Filed Sept 2/1894

A.S. McKennon
Comr

Cobb & Payne
Fictitious reference

Denied

Office of District Clk
Fallingwater Precinct
August 13th, 1896.

I hereby certify that page 11
Book of Marriages now on file in my
Office shows that Marriage License
were issued to R M Mitchell (white) & a
Citizen of the United States, to marry &
Benjamin Emmons (Cherokee by virtue of
Cherokee blood. - Said License were duly
granted and issued by William Turner the
then Clerk of Tahlequah Dist. C.N. the 24th day
of November 1871.

S. W. Parker
Clk. Tahlequah Dist
C.N.

End

B437
5341

Nation's No. 41331

Commission's No .....

In re Application of

M M Hyde

et al

Demurrer and Answer.

FILED OCT 21
H M JA WAY-

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of ..... Nation's No. .....

M. M. Hyde et al ..... Commission's No. .....

..... for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Betsy Walker ..... through whom the petitioner ..... claim to derive ..... right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hosking & Hutchings & Bancroft Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct 1896.

D. J. Bell

NOTARY PUBLIC.

STATE OF NORTH CAROLINA, SWAIN COUNTY,

Before me the undersigned J. R. Snow, Clerk of the Superior Court in and for the County of Swain and State aforesaid came J. S. Elmore, Post Master at Bryson City, North Carolina who being by me duly sworn deposes and says; that he has this day mailed by registered mail to Hon. Samuel H. Mayes, Principal Cheif of the Cherokee Nation at Tahlequah, Indian Territory, a true copy of the application for Citizenship of W. M. Hyde & Children with the evidence annexed. That Affiant has in his possession to mail to the Commission at Vinitia, Indian Territory the application and the evidence of the said W. M. Hyde for Citizenship in said Territory. This 28th. day of August 1886.

J. S. Elmore P.M.

Sworn & Subscribed To, before me
Sept. 2d 1896.
J. R. Snow Clerk
C. C. Swain Co. N.C.

Application for Enrollment

To Hon Henry L Dawes, Frank C.
Armstrong Archibald S. McKennon
Lhs. B. Clanins & Alexander B.
Montgomery United States Commissioners authorized by act of Congress
of June 10th 1896 to hear and determine
claims for citizenship in the Cherokee
Nation.
Gentlemen.

The undersigned your petitioner
for and in behalf of himself, William
M Hyde, this day makes application
to you for the purpose of being placed
on the duly roll of the Cherokee
Indians and of thus allowed to share
in the distribution of funds and
allotments of lands of the Cherokee
Nation by virtue of this Cherokee blood
The grounds upon which his claim
is based are as follows. To wit.
That his name is William M.
Hyde and his age is 25 years.
His father's name was Erin Hyde
and his mother's name was was
Cynthia Hyde.
Elizabeth Hyde was a daughter
of Elizabeth Shackelford nee Elizabeth
Starkey who is a Cherokee by blood

said William M Hyde is a decend
-ant of Betsy Walker whose name
is to be found upon the Treaty Roll
of 1835
And in support of said claim, your
petitioner herewith submits the
affidavits, depositions and record
evidence namely.
Affidavit of one Rda Gibson
which accompanies this affid
-avit
and respectfully awaits the time
and place when my application
shall be heard and tried

Respectfully submitted

William M [illegible]
his
mark

Applicant

Subscribed and sworn to before me
Sept 2nd 1896 E. Ervin N. P.

No. 104—PROBATE—CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY.—Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA,
Iredell County. } ss.

The foregoing Certificate of E. Ervin, a Justice of the Peace of Iredell County, is adjudged to be correct; and I, [illegible], Clerk of the Superior Court of said County, do hereby certify that E. Ervin was, at the time of signing the foregoing certificate, a Justice of the Peace in and for the County of Iredell, and State of North Carolina, and that his signature thereto is in his own proper handwriting.

IN WITNESS WHEREOF, I hereunto subscribe my name and affix my official seal, this 2 day of Sept A. D. 189 6

[illegible]
Clerk Superior Court.

~~5041~~

No. ~~+30~~ 5041

Wm M. Hyde.

vs

Cherokee Nation

Filed Sept. 7, 1896
H. M. Jacoway
Clk.

Reynolds
Bryson City
N. C.

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF W M Hyde

FOR ADMISSION TO CITIZENSHIP IN THE ..... NATION.

STATE OF ..... }
COUNTY OF ..... }

Before me, the undersigned, a J. ..... in and for the County and State aforesaid, Personally appeared Rhoda Gibson who, after being by me duly sworn, states; That She is ..... years of age, and a resident of the State of N.C. and County of Swain and that She is personally acquainted with W M Hyde who is an for applicant citizenship in the Cherokee Nation. Affiant further states; (Here set out all that he knows about claimant's family and ancestors of Indian blood.) he is a son of Erwin Hyde a son of Benjamin Hyde Jr. Benjamin Hyde Jr. was a son of Benjamin Hyde Sr. Benjamin Hyde Sr married Elizabeth Lecthumond a daughter of John and Elizabeth Lecthumond and Elizabeth Lecthumond wife of Edward Lecthumond was a daughter of Betsy Vann a Full blood Cherokee Indian.

Affiant futher states; That She has known the said W M Hyde for the past ..... years, and knows that he has been and is recognized by, his neighbors, acquaintances and the public generally as having Cherokee Indian blood, and that the com-plexion and physical appearance of the said W M Hyde indicate that he is of Cherokee Indian blood and descent. Affant futher says, that from the above facts and circumstances, and from what he has heard and knows of the said W M Hyde She believes the said W M Hyde to be a descendant by blood of the Cherokee Indian tribe.

her
Rhoda X Gibson
mark

Subscribed and sworn before me this 1 day of Sept 1896.

J. T. Robertson (seal)
Justice of the Peace
Swain County NC

My Commission expires .....

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

No. 10½—PROBATE—CERTIFYING JUSTICE OF THE PEACE TO ANOTHER COUNTY.—Edwards & Broughton, Printers, Raleigh.

STATE OF NORTH CAROLINA, } ss.

Swain County,

The foregoing Certificate of J. T. Robinson, a Justice of the Peace of Graham County, is adjudged to be correct; and

I, W. J. Cowan, Clerk of the Superior Court of said County, do hereby certify that J. T. Robinson was, at the time of signing the foregoing certificate, a Justice of the Peace in and for the County of Swain, and State of North Carolina, and that his signature thereto is in his own proper handwriting.

IN WITNESS WHEREOF, I hereunto subscribe my name and affix my official seal, this 2 day of Sept.

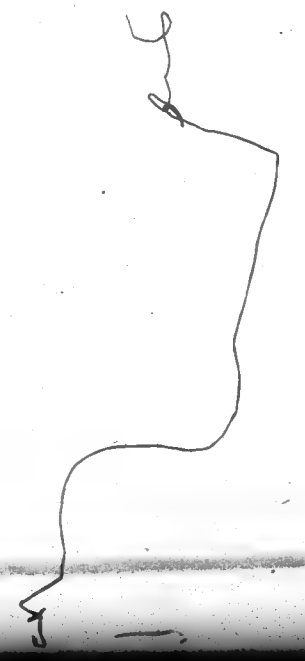
A. D. 189 6

W. J. Cowan

Clerk Superior Court.

End

5542



Nation's No. 947.

Commission's No .....

In re Application of

Mary Brock, et al.

Demurrer and Answer.

FILED SEP 1 1939
A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Marr Broach, et al. Nation's No. 947.
Commission's No.
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Alex Mundy through whom the petitioner s claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 12th day of July 1896.

D. L. Rice
NOTARY PUBLIC.

Mary Brock

REGISTRY RECEIPT.

Post Office at VINITA, IND. TER.

Registered Letter Parcel } No. 253 Rec'd Sept 4, 1896

of M. M. Edmiston

addressed to Chief S. H. Mayes
Tahlequah I. T.

D. A. Bayne L., P. M.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, R. L. RUDISILL, do solemnly swear that on the 4 day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 253, hereto attached, is a receipt for said package, which contained true copies of the application of Mary Brock et-al

and of the affidavits of Mary Brock, M D Edmiston
David Nunnely, Mary A Nunnely

in support of same. That affiant has no interest in this matter.

R L Rudisill

Subscribed and sworn to before me this, the 4 day of September, 1896.

Harry E Dan-Cook
Notary Public, My Commission Expires May 11th, 1898.

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Mary Brock for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Mary Brock, being duly sworn, represents that She is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Alex Hamby or Hummingbird, petitioners Grandfather whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18..?.., was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Bell Edwards	31	Daughter
Margaret Tannehill	28	Daughter
Columbus Dilue	25	Son
Cora "	23	Daughter
Jasper Nivill	18	Son

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 66 years of age, and a resident of Bluejacket, I. T.

Your petitioner further states that She has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence as desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Witness sworn & test- J.D. Cox

her
Mary X Brock
mark

Subscribed and sworn to before me this 29 day of Aug, 1896

J.D. Cox, Notary Public.

My commission expires June 15th 97

Cherokee Nation
Indian Territory } ss

Mary Brock of lawful age being duly sworn on oath says: She is 56 years of age and lives near Bluejacket, (7 mis. N.W.) Ind. Ter.

That her fathers name was Alex Manly or Manville, and that his fathers name was Alex Manly or Manville; he, Alex Manly lives in Hickory County Middle Tennessee, and was a recognized Cherokee Indian and a member of the Cherokee Nation of people and his name should appear upon some of the rolls of Cherokees of the old Cherokee Nation in Tenn.

That the names of sons and daughters in my application are correctly given and they are my own children.

That neither applicant nor ancestors to her knowledge, have taken allotments of land or in the old nation or upon Neutral Indian lands

I was told by my mother and grandfather that Alex that is Alex Manley was a Cherokee Indian and that my father was also a Cherokee Indian by blood, and so recognized by people generally who knew them. And grandfather Alex Manley was about a full blood as I was told in my raising; he grandfather told

affiant that he was a full blood.
My Grandfather had a brother by
name of Samson Hunly, and he lived and
died in Middle Town., as I was informed
Grandfather
had every appearance of an Indian,-

witness mark

his
Mary X Brock
mark

Filed May

Subscribed and sworn to before me this 2
dy of Sept: 1896, Harvey E. Don-Carlos,

Notary Public, My Commission Expires May 11th, 1900.

United States of America
Northern District
Cherokee Nation
Indian Territory } ss

Personally came before me a notary public in and for the District aforesaid David Kunly, or Kunnelle, of lawful age being duly sworn on oath says; he is 69 years of age and was a slave of Lewis Kunly or Kunnelle, a brother of Alex Kunly or Kunnelle, and that Alex, deceased, was a Cherokee Indian by blood and recognized as a citizen of the Cherokee Nation of people; that he had a son of the name David Kunly or Kunnelle and said David Kunly or Kunnelle, had a daughter of the name of Mary Kunly or Kunnelle,

Affiant was well acquainted with said Alex Kunly and his son David, and is well acquainted with Mary, his grand daughter, who married a man of name of Chas. H. Brock And now the said applicant Mary Brock is of Cherokee blood being the grand daughter of Alex Kunly.

That affiant was married first to Lemiah Eilem, of whom she bore 4 Children, whose names are, Bell Edwards, Marjonett Tannahill, Columbus Eilem, Cora Eilem, that of Alex Rivett, petitioners second husband petitioner bore one child, Jasper Rivett

That petitioner is a woman of good character and is worthy of respect and belief.

Affiant lives near Ft Gibson I. T. Ev

has no interest in this matter further than that petitioner may have justice done her

David ~~X~~ his mark Munly

Subscribed and sworn to before me this the 1st day of July 1896

W. D. C. Dowell

Notary Public

Cherokee Nation
Indian Territory } SS

Mary Ann Munly or Munnerlyn being duly sworn deposes and says: She is years of age and the wife of David Munly or Munnerlyn, named as affiant in the above ~~X~~ foregoing affidavit; That affiant has heard read the foregoing affidavit of said David Munnerlyn or Munly, and knows the contents and the matters and things therein contained are true,

That affiant and her said husband are freedmen, being freed under treaty at the close of the war making provision for rights of ex-slaves &c, of the Cherokee Nation

X

Subscribed and sworn to before me this day of July 1896

Notary Public

Affidavit of

David Nunley.

in Matter of

Mary Brock,

Claimant for

Choctaw Citizenship

United States of America
Northern District
For. Gibson Dis. Territory } ss

Affidavit of
David Nunley in the
Matter of Mary Brock.

Claimant for

Personally came before me a Notary Public in and for the above named district David Nunley who being by me duly sworn deposes and states; as my wife is unable on account of sickness to appear before an officer. and as present there is no officer But that is too much rushed with work to go to her, I will in her Stead State some circumstances of Long ago which might be of importance in this matter as follows ÷
I Belonged when a Slave, to Lawson Nunley who was a brother to Alex. Nunley. Alex. Nunley, was the father of David Nunley who was the father of the above named claimant Mary Brock. I Belonged to the Nunley's from the time I was 11 years old until I was 27 years old at which time I was Set free. Said Nunleys were always accused of Being Choctaw Indians from the time I first knew them up to the Present time

David X Nunley
his mark

Sworn and Subscribed to before me by Davis Nunley at Fort Gibson I.T. this the 1st day of Sept 1896 M. D. C. Donell
Notary Public

No. 914

Mary Brock et al
vs
Cherokee Nation

Brief

FILED SEP 16 1936.
A. S. MCKENNON

M. M. Edmisson
-LAWYER, Vinita,

Before the Honorable, The Dawes Commission

Mary Brackins
vs
Cherokee Nation
} Enr 914
Brief

The evidence shows that petitioners father, David Munley, was the son of Alex Munley. The latter was a recognized Cherokee Indian in Tennessee and the former, petitioners father, was a recognized Cherokee Indian in the Cherokee Nation I.T. and his name appears or should appear on the rolls.

The application is respectfully submitted

W. M. Edmondson

Atty. for Pltff.

Mary Brock et al
vs
Cherokee Nation

Filed Sept. 4th 1896

Filed Sept 4 - 1896
A. S. McKennon
Clerk

ATTORNEY
AT
LAW

United States of America,
Indian Territory,
Northern Judicial Districts

Befor me, a notary public within and for the Northern District of the Ind. Ter. personally appeard Mary Ann Nunnelly, who being duly sworn stated as follows, to wit:- That I was a slave of Lawson Nunnelly, and I know Mary E. Brock to be an heir of David Nunnelly - I don't I know my exact age but think about sixty years old -

{ C E Horn
{ W R Hunter

Mary Ann Nunnelly

Subscribed and sworn to befor me this the 29th day of July, 1896 -

J D Freeman,
Notary public -

End

Mahala J. Philpot

Mahala J. Philpot

Sworn to and subscribed before me this 20th day of Nov. 1880.

J. B. Hollingsworth
Notary Public, Dawes County, Nebraska.

To the Hon. Dawes Commission.

Gentlemen:-

Your petitioner , Mahala Jane Philpot, nee Powell, for and on behalf of her children, as follows viz:- Hattie Lue Venie, now six years old; Manervie Ettier, now four years old; Lelar Jane, now two years old, and Sarah Ethel, four months old; do this day make application to you for the purpose of their being admitted to citizenship in the Cherikee Nation and be enrolled with those entitled to share in the distribution of funds and allotment of lands in the aforesaid Nation by virtue of their Cherikee blood.

Petitioner says that she is the daughter of Ambrose Powell, that she was born in the state of Arkansas in the year 1870, and that she was married to R. P. Philpot, of Conway Co. Ark. in Nov. 1888.

Together we moved to the Choctaw Nation in 1891, and have resided here every since, and our Post Office address is Citera, I. T.

That my father, the said Ambrose Powell, is a citizen of the Cherikee Nation by blood; that his application for citizenship together with the proof of his blood relationship has been filed before the Hon. Dawes Commission. And that I believe his to be a valid claim, and I as petitioner for and on behalf of my children, hereby base and rest my claim to citizenship of the Cherikee Nation, upon his; that if his Cherikee blood relationship be established, mine will naturally follow

Wherefore the premises considered your petitioner prays that in the event of the enrollment of the said Ambrose Powell as a citizen of the said Cherikee Nation, that her children heretofore named, be admitted to citizenship and their names placed on the roll of citizens of the Cherikee Nation.

Mahala J. Philpot

No 1. No 2.

Subscribed and sworn to before me this the 21 day of Aug. 1896,

S. W. Chamberlain

Notary Public.

End

No [redacted]3344

William J. Hill et al
vs
Cherokee Nation

Filed Sept 28th 1896
[redacted] M. Jacoway
Sec

2325

Rejected

M. M[illegible]ission
[illegible]XXI.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, R. L. RUDISILL, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 316, hereto attached, is a receipt for said package, which contained true copies of the application of William J. Hill, Elizabeth Hill, Martha E. Douglass nee Hill, Sopha C. Lewis, Sarah A. Wilson Louisa J. Harris Mary H. Thompson and of the affidavits of John H Jones and Elizabeth Hurley. (7 Each)

in support of same. That affiant has no interest in this matter.

R L Rudisill

Subscribed and sworn to before me this, the 7 day of September, 1896.

Harvey E. Dow Clerk,

Notary Public, My Commission Expires May 17th, 1900.

Before the Hon. the Dawes Commission
In re-Wm. J. Hill et al. application for
Citizenship.

Motion

Now comes the above named Wm. J.
Hill et al. by their Atty. and moves the
above named Hon. Commission to con-
solidate this case with the case of
J. J. Hill et al No. —, the common an-
cestor in said cases being Nancy Hill
nee Nancy Jones and the evidence in
said cases is important and essential in
a fair and correct consideration and
determination of the respective
pititioners

M. M. Edwardson
Atty. for. Pitioners

Seatinel Print, Tahlequah.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
....District.

EX PARTE William T. Hill

TO THE HONORABLE Dawes Commission
Indian Territory

The undersigned William T. Hill, respectfully represents that he is the Grand Son of Nancy Hill and that the said Nancy Hill was of Cherokee Indian blood and was acknowledged a member of the Cherokee Tribe of Indians and from whom your petitioner derives his Cherokee blood and through whom he is entitled to Cherokee Citizenship in the Cherokee Nation. That Nancy Hill made name was Nancy Foreman that the said Nancy Foreman was a Cherokee by blood; that the names of the said ancestors of your petitioners should be found upon certain census rolls taken and made of the Cherokees; that his family containing Cherokee blood consists of the following named persons, to-wit:

Rosa L Hill aged 22 years a girl
Emma Hill aged 16 years a girl
Nora B Hill aged 14 years a girl
William R Hill aged 13 years a boy
Yonnan H Hill aged 10 years a boy
Cortis B Hill " 3 " " "

Wherefore your petitioner respectfully submits to this Honorable Body his application for admission ~~or readmission~~ to citizenship in the Cherokee Nation, Indian Territory, as Cherokee Indians by blood, and respectfully submit the foregoing facts duly verified, together with the affidavit hereunto annexed, and ask that they shall be heard and considered and passed on in accordance with all laws governing such cases, and the precedent established, and of public record in such cases, and accorded equal rights with other members of said Tribe for all proper relief.

Dated Aug 29th, 1896. William T. Hill APPLICANT.

The State of Arkansas
County of Carroll } ss.

William T. Hill being first duly sworn deposes and says that he is the person named in the foregoing application as petitioner therein; that he has heard read the same and knows the contents thereof and that the same is true to his own knowledge.

William T. Hill

Subscribed and sworn to before me this the 29th day of August 1896

My commission expires
Dec 27th 1899.

R. K. Jones Notary Public
of Carroll Co Arkansas

United States [illegible]
[illegible] District
[illegible]
Court - Elizabeth Neil
[illegible] Dawes Commission
[illegible] Indian Territory.

The undersigned Elizabeth Neil
respectfully represents that she is the
[illegible] daughter of Nancy Neil
and that the said
[illegible] was of Cherokee Indian
blood and was acknowledged a member of the
Cherokee Tribe of Indians and from whom
your petitioner derives [illegible] Cherokee blood and
through whom she is entitled to Cherokee
Citizenship in the Cherokee Nation. That
Nancy Neil's Mad[illegible] name was Nancy
[illegible] That the said [illegible]
was a Cherokee by blood; that the
names of the said ancestors of your petitioners
should be found upon certain census rolls taken
and made of the Cherokees; ~~that~~ ~~family~~
~~containing Cherokee blood consist of the fol~~
~~lowing named persons, to wit:~~

~~aged years~~
~~aged years~~
~~aged years~~
~~aged years~~
~~aged years~~

aged years
aged years

Wherefore your petitioner respectfully submits to this Honorable Body h application for admission to citizenship in the Cherokee Nation ~~by blood, and respectfully submit~~ the Indian Territory, as Cherokee Indians by blood, and respectfully submit the foregoing facts duly verified, together with the affidavit hereunto annexed and ask that they shall be heard and considered and passed on in accordance with all laws governing such cases, and the precedent established, and of public record in such cases, and accorded equal rights with other members of said Tribe for all proper relief.

Dated August 27th 1896— Elizabeth

Applicant

State of Arkansas }
County of Carroll } ss.

being first duly sworn deposes and says that is the person named in the foregoing application as petitioner therein; that has heard read the same and knows the contents thereof and that the same is true as he verily believes

Elizabeth Hill

Subscribed and sworn to before me this 27th day of August 1896

R H Jones Notary Public of Carroll Co Arkansas

My commission expires Feb 23rd 1899.

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Martha E. Douglass nee Hill for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Martha E. Douglass, nee Hill, being duly sworn, represents that she is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.,

That Nancy Hill, petitioners Second Mother whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18--, was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Ingober P. Douglass	18	Daughter
Alessie W. "	16	"
Mary E. "	14	"
Ella B. "	9	Son
Wm. A "	7	Daughter
Jesse M. "	4	Son
Johnathan B. "	2 yrs.	Daughter
Annie G. "		

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 39 years of age, and a resident of Inganville Ark

Your petitioner further states that she has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of said children, be determined as per the proof herewith, and the laws and treaties governing.

Martha E Douglass

Subscribed and sworn to before me this 5th day of Sept, 1896

Harry E Dan-Carter, Notary Public.

My commission expires May 11-1900

Sentinel Print, Tahlequah.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
..... District.

EX PARTE Sopha C Sewel

TO THE HONORABLE Dawes Commission
Tenita Indian Territory

The undersigned, Sopha C Sewel, respectfully represents that she is the great grand daughter of Nancy Hill and that the said Nancy Hill was of Cherokee Indian blood and was acknowledged a member of the Cherokee Tribe of Indians and from whom your petitioner derives her Cherokee blood and through whom she is entitled to Cherokee Citizenship in the Cherokee Nation. That Nancy Hill's maiden name was Nancy Jones that the said Nancy Jones was a Cherokee by blood; that the names of the said ancestors of your petitioners should be found upon certain census rolls taken and made of the Cherokees; that her family containing Cherokee blood consists of the following named persons, to-wit:

Marshall D Sewel aged 2 years a boy
Davis Sewel aged 1 years a child
_____ aged ____ years _____
_____ aged ____ years _____
_____ aged ____ years _____

Wherefore your petitioner respectfully submits to this Honorable Body her application for admission ~~re-admission~~ to citizenship in the Cherokee Nation, Indian Territory, as Cherokee Indians by blood, and respectfully submit the foregoing facts duly verified, together with the affidavit hereunto annexed, and ask that they shall be heard and considered and passed on in accordance with all laws governing such cases, and the precedent established, and of public record in such cases, and accorded equal rights with other members of said Tribe for all proper relief.

Dated Aug 29th, 1896. Sopha C Sewel
APPLICANT.

State of Arkansas
County of Carroll } ss.

Sopha C Sewel being first duly sworn deposes and says that she is the person named in the foregoing application as petitioner therein; that she has heard read the same and knows the contents thereof and that the same is true to ~~own knowledge~~ her own knowledge.

Sopha C Sewel

Subscribed and sworn to before me this the 29th day of August 1896

My commission expires Feb 23rd 1899.

R. H. Jones Notary Public
of Carroll Co Arkansas

Sentinel Print, Tahlequah.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
....District.

EX PARTE Sarah A Wilson

TO THE HONORABLE Dawes Commission
Vinita Indian Territory

The undersigned Sarah A Wilson, respectfully represents that she is the grand daughter of Nancy Hill and that the said Nancy Hill was of Cherokee Indian blood and was acknowledged a member of the Cherokee Tribe of Indians and from whom your petitioner derives her Cherokee blood and through whom she is entitled to Cherokee Citizenship in the Cherokee Nation. That Nancy Hill's maiden name was Nancy Jones that the said Nancy Jones was a Cherokee by blood; that the names of the said ancestors of your petitioners should be found upon certain census rolls taken and made of the Cherokees; that Her family containing Cherokee blood consists of the following named persons, to-wit:

Columbus E Wilson aged 21 years a boy
Abby Wilson aged 18 years a girl
Luther Wilson aged 17 years a boy
Willis Wilson aged 11 years a girl
Jessie Wilson aged 6 years a girl

Wherefore your petitioner respectfully submits to this Honorable Body her application for admission ~~or readmission~~ to citizenship in the Cherokee Nation, Indian Territory, as Cherokee Indians by blood, and respectfully submit the foregoing facts duly verified, together with the affidavit hereunto annexed, and ask that they shall be heard and considered and passed on in accordance with all laws governing such cases, and the precedent established, and of public record in such cases, and accorded equal rights with other members of said Tribe for all proper relief.

Attest R H Jones

Dated July 24th, 1896. her Sarah x A Wilson mark APPLICANT.

State of Arkansas
County of Carroll } ss.

Sarah A Wilson being first duly sworn deposes and says that she is the person named in the foregoing application as petitioner therein; that she has heard read the same and knows the contents thereof and that the same is true to her own knowledge.

Attest R H Jones

her Sarah x A Wilson mark

Subscribed and sworn to before me this the 29th day of August 1896

My commission expires Feb 27th 1899.

R H Jones Notary Public of Carroll Co Arkansas

Application

United States of America } Before the Hon. Dawes
Indian Ter } Commissioner Dawes
Eupetta Louisa J Harris } Ind Ter

To the Hon Dawes Commissioner Dawes Ind Ter—

The undersigned Louisa J Harris respectfully represents that she is the Grand daughter of Nancy Hill and that the said Nancy Hill was of Cherokee Indian blood and was acknowledged a member of the Cherokee Tribe of Indians and from whom your petitioner derives her Cherokee blood and through whom she is entitled to Cherokee Citizenship in the Cherokee Nation— That Nancy Hills Maiden Name was Nancy Jones. That the Said Nancy Jones was a Cherokee by blood. That the Name of the said Ancestor of your petitioner should be found upon the Annual Roll taken and Made of the Cherokees

That My family Containing Cherokee Indian blood Consists of the following Names persons to wit—

Albert L Harris a boy 20 years
James L Harris a boy 18 "
Lyra E Harris a Girl 16 "

Emma E Harris a girl 13 years of
Eddie L Harris . boy 11 years of
Whereforn Your Petitioner respectfully
submits to this Honorable Body her Ap-
plication for admission to Citizenship
in the Cherokee Nation and Dec as a
Cherokee Indian by blood and
respectfully submits the foregoing facts
duly verified, together with the affidavits
hereto annexed and ask that they be
heard and considered and pass on
in accordance with all laws governing
such cases and the precedent established
and of public records in such cases
and accorded equal rights with others
similarly circumstanced for all
proper relief

Louisa J Harris
her
mark

Attest
R H Jones

State of Ark
County of Carroll ss

The Petitioner Louisa J Harris being first duly sworn deposes and says that she is the person named in the foregoing application or petition that she has heard read the same and knows the contents thereof and that the same is true as she verily believes

Louisa J Harris
her
mark

Attest
R H Jones

Subscribed and sworn to before me this 1st day of August 1896.

R H Jones Notary Public
of Carroll Co Arkansas

My commission expires Feb 27th 1899.

Application of Mary P. Thompson

United States of America } Before the Hon. Commissioners
Indian Territory } Commissioners Court
Ex parte } Ind. Ter.

To the Hon. Commissioners Court Ind. Ter.

Now comes Mary P. Thompson respectfully represents that she is the grand daughter of Nancy Neil nee the said Nancy Neil was a Cherokee Indian by blood and was acknowledged as a member of the Cherokee Tribe of Indians and from whom your petitioner derives her Cherokee blood and through whom she is entitled to Cherokee citizenship in the Cherokee Nation.

That Nancy Neil's Maiden name was Nancy Lands. That the said Mary Jane was Cherokee by blood and that the name of the said ancestor of your petitioner should be found upon the census Rolls taken and made of the Cherokee Nation by Joseph Caudaway Chief Cherokee Indian Agent and acknowledged as a member of the Cherokee Nation.

Your petitioner says that she is a citizen by marriage of Thomas C. Thompson and has by said Thomas C. Thompson the following children to wit:

Walter E. Thompson age 12 years
Thomas C. Thompson " 10 " boy
Allen R. Thompson " 8 " "
Vernon E. Thompson " 6 " "

Walter E. Thompson acct. 2 April

To the Honorable Probate Court
Respectfully submits to the Hon.
D. Applicant for admission
to Citizenship in the Cherokee Nation
and for Cherokee Indian by blood
and respectfully submits the foregoing
facts duly & emphatically together with the
affidavit Herewith and asks action be
shall be heard and Commissioners
passed upon in accordance
with all laws Governing such cases
and the practice & Guidelines and of
Public Records in such cases and
according to equal rights with other
members of said Tribe for all proper
relief— Mary F Thompson

Date 29th Aug 1896

State of Arkansas }
County of Conway } May F Thompson
being first duly
sworn deposes and says that she
is the person named in the foregoing
application as petitioner that all of the
facts therein are true and that
the Contents thereof are true and the same
is true to the best of her knowledge

Mary F Thompson

Subscribed and sworn to before
me this 29th day
of August 1896

My Commission expires } R H Jones Notary Public
Feb 27th 1899. } of Carroll Co Arkansas

The State of Arkansas } In the Matter of the
County of Cornell } Application of William
P. Hill for Cherokee
Citizenship in the Cherokee Nation
Ind. Ter—

Before me the undersigned Authority on
this day personally appeared John M
Jones who after being by me
first duly sworn according to law
upon his oath deposes and says
My name is John M Jones I am
65 years of age my Post Office address
is Evansville Ark— I know the ap-
plicant William P. Hill and have
known him all his life. He is the
grand son of Nancy Hill whose
maiden name was Nancy Jones
I was well acquainted with the said
Nancy Hill. She was reputed to be
of Cherokee Indian blood and
I believe her to be applicants Post
Cherokee Indian— I know
applicants family well he married
Mary Jeduneau over about the
year A.D. 1867 and has now living
nine Children of his own lawfully born
in lawful wedlock— Ernest Hill aged
22 years old— Emmer Hill aged 16 yrs
old— Nora B Hill aged 14 years old—

William H Hill a boy 13 years old
Norman H Hill a boy 10 years old Sons
Carlos B Hill a boy 8 years old
Affiant Also that the said Grants
Mother of Applicant Nancy Hill is the
same person named in the
application of J J Hill files before
the Cherokee Council on or about the
year of 1882 at Talequah I.T.

John H Jones

Subscribed and sworn to before me
this the 29th day of May - A.D. 1894

My commission expires
Feb 27th 1899.

R H Jones Notary Public
of Carroll Co Arkansas

The State of Arkansas } In the Matter of the Ap-
County of Cornplication of William S
Hill for Cherokee citizen
ship in the Cherokee Nation Indian Ter-
Before me the undersigned Authority on
this day personally appears Elizabeth
Hurley who after being by me
first duly sworn according to law
upon oath deposes and says: My
Name is Elizabeth Hurley I am
years old My Post office address is
Bentonville Arkansas. I am personally
and well acquainted with the applicant
William S Hill and his family. He is
the grandson of Nancy Hill whose
maiden name was Nancy Jones
I was well acquainted with his mother
Frances Morris Nancy Jones. She was
recognized & treated as & spoken of
by Cherokee Indians & was
of Cherokee Indian blood
Applicant is spoken of by Cher-
okee Indians & others
familiar & knowledge & has been
told so. That he is of Cherokee Indian blood
thru Morris & May Jetadmon as
or about the year 1862 and has had
living now Children born in lawful
wedlock by said marriage
to
and Elizabeth Hurley
Subscribed

Sworn to and subscribed before me
this the 29th day of August A.D. 1898
My commission expires } R. H. Jones Notary Public
Feb 27th 1899. } of Carroll Co. Arkansas

The State of Alabama } In the Matter of the
Cherokee County } Application of Elizabeth
Neil for Cherokee citizen
ship as the Cherokee Nation Indians—

Before me the undersigned authority
at this day personally appeared
John M Jones who after being by
me first duly sworn according
to law upon his oath deposes and
says My name is John M Jones
I am 65 years old my Post
Office address is Benjamin
Grove— I am well acquainted
with the applicant— Elizabeth Neil
have known her all her life
She is known and recognized as
reputed to be of Cherokee Indian
blood. She is the grand daughter
of Nancy Neil whose maiden
name was Nancy Jones
The said Nancy Jones or Nancy
Neil was recognized as reputed
to be of Cherokee Indian blood
Applicant is the daughter of Jonathan
Neil and affiant further says that
the said Nancy Neil or the Nancy
Neil mentioned in the Application
and Roll of the Neil Family
before the Eastern Cherokee
Court at Tahlequah Indian

and about the [illegible]
I have no interest in the [illegible]

John N Jones

Subscribed and sworn to before me
this 2nd day of [illegible]
1899

My commission expires
Feb 27th 1899.

Notary Public
of Carroll Co Arkansas

The State of Arkansas } In the matter of the applica
County of Carroll } tion of Elizabeth Hill for Cherokee
Citizenship in the Cherokee
Nation Indian Territory

Before me the undersigned authority on this day personally appeared Elizabeth Hurley who after being by me first duly sworn according to law upon oath deposes and says,- my name is Elizabeth Hurley, my post-office address is Berryville, Ark, I am 66 years old- I am well acquainted with the applicant Elizabeth Hill, she is the granddaughter of Nancy Hill whose maden name was Nancy Jones, I knew all of the above parties - Nancy Hill was known, recognized and reputed to be of Cherokee Indian blood, applicant claims to be and has been reputed to be of Cherokee Indian blood. I am not interested in this case

Attest
R H Jones

Elizabeth her × Hurley
mark

Subscribed and sworn to before me this 29th day of August 1896

My commission expires } R. H. Jones Notary Public
Feb 27th 1899. } of Carroll Co. Arkansas

The State of Arkansas } In the Matter of the
County of Cornell } Application of Sopha
C Sewell for
Cherokee Citizenship in the Cherokee Nation
Ind Ter.

Before me the undersigned authority on this
day personally appears John A Jones
who after being by me first duly sworn
according to law upon his oath deposes and
says: My name is John A Jones
I am 66 yrs old My Post Office address
is Bentonville Arkansas. I am acquainted
with the applicant Sopha C. Sewell she was
the daughter of Wm F Hill and is great
granddaughter of Nancy Hill whose
maiden name was Nancy Jones
I knew all of the above mentioned parties
well-Nancy Hill was recognized & known
and reputed to be of Cherokee Indian
blood. Applicant and her sister Fannie
and reputed to be part Cherokee Indian
and I believe them to be- Applicants Mother
Name was Sopha C Hill, she married Allen K
Sewell on or about the yr 1878 and is now
living with him and has two children born
to her viz Marshall D Sewell age
boy 8 yrs old and Dessie Sewell age
6 yrs old- Affiant states that the said
Nancy Hill great grandmother of Applicant

is one and the same person mentioned in the
application and Evidence of J. J. Mills filed
about the year A.D. 1884 before the Chancery
Court or Court in Jonesboro Ark.

John W. Jones

Subscribed and sworn to before
me this 2 day of Sep-
tember A.D. 1884

My commission expires
Feb 27th 1899

R. H. Jones Notary Public
of Carroll Co Arkansas

The State of Ark. In Carroll Co. In the Matter of the application of Sophia C Stowe for Cherokee Citizenship in the Cherokee Nation 2nd Dist.

Before me the undersigned authority on this day personally appears Elizabeth Manly who after being by me first duly sworn according to law upon oath deposes and says. My name is Elizabeth Manly My Post office address is Berryville Ark. I am 64 years old— I am well acquainted with the applicant Sophia C Stowe, she is the daughter of Wm F. Hill and the great grand daughter of Nancy Hill whose maiden name was Nancy Jones. I knew all of the above parties— Nancy Hill was known recognized and reputed to be of Cherokee Indian blood & applicant claims to be and has been reputed to be of Cherokee Indian blood. She married Allen K Stowe in the year 1892 and is now living with him she has two children now living born in lawful wedlock. Marshal D Stowe aby 2 years old Dasie Stowe a girl 1 year old— I am not interested in this case

her
Elizabeth x Manly
mark

Subscribed and sworn to before me this 19th day of Aug 1898

My commission expires Oct 27th 1899.

R H Jones Notary Public of Carroll Co Arkansas

Cherokee Nation
Indian Territory } ss

Wm. J. Hill being duly sworn on oath says: That Martha E. Douglass' maiden name is Hill, and she is a full sister of affiant.

That neither applicant, Martha E. Douglass, affiant and other applicants for citizenship hereunto attached tracing their blood to Nancy Hill, or ancestors of said parties, to affiants knowledge, have at any time taken their allotments in the old Cherokee nation or upon Neutral Indian lands,

William J. Hill

Subscribed and sworn to before me this 5th day of Sept: 1896 Harvey E Dow Carter.

Notary Public, My Commission Expires May 11th, 1900.

The State of Alabama } In the matter of the
County of Cornell } application of Sarah
J. & Wilson for
Cherokee citizenship in the Cherokee
Nation Indian
Before me the undersigned Authority
on this day personally appears
John M. Jones who after being by me
first duly sworn according to law
upon his oath deposes and says
My name is John M. Jones I am
65 years old my post office address is
Bryceville Nassau Co. Fla. I am
personally and well acquainted with
the applicant Sarah J. Wilson and
with her family she married Sam
Wilson on or about the year A.D. 1873
Applicant is the Grand daughter of
Nancy Hill whose maiden name was
Nancy Jones. The said Nancy Hill
was known and reputed to be of
Cherokee Indian blood I knew her
and believe her to be part Cherokee
Indian applicant has always claimed
to be and is reputed to be of
Cherokee Indian blood
Applicant Sarah J. Wilson is the
mother of five Children no of living
with her in home order

Columbus E Wilson a boy 21 years old
Abby Wilson a girl 18 years old
Luther Wilson a boy 17 years old
Willie Wilson a girl 14 years old Dead
Jenny Wilson a girl 9 years old
born in lawful wedlock

Affiant further states that the said
Nancy Jones or Nancy Hill-being the same
person-is the Nancy Hill mentioned
in the application and evidence of
Hill filed and to about the 7th day of 1884
before the Cherokee Council of Court
at Tahlequah Ind Ter— I have no
interest in this case

John W Jones

Subscribed and sworn to before me
this the 29th day of January 1894

My commission expires
Feb 27th 1899.

R. H. Jones Notary Public
of Carroll Co Arkansas

The State of Arkansas } In the Matter of the
County of Carroll } Application of Sarah
Wilson for
Cherokee Citizenship in the Cherokee
Nation Inst. Ter.

Before Me the Undersigned Authority
on this day personally appears Elizabeth
Hurley who after being by me
first duly sworn upon oath doth
depose and says. My Name is Elizabeth
Hurley My Post office address
is Berryville, Ark. I am 66
years of age I Know the applicant
Sarah Wilson and her family
have Resided her for a Number of
years. She is the Grand daughter of
Nancy Hill whose Maiden Name was
Nancy Jones I was well acquainted
with the said Nancy Hill She was
reputed to be of Cherokee Indian
blood and I believe her to be. Applicant
her Grand daughter is Married and
reputed to be of the same Indian
blood. She married Sam Wilson
on or about the year of 1873 and
has not living with her five
Children

Affiant further saith not. Elizabeth her
mark Hurley

Subscribed and sworn to before me this 29th
day of August 1896
My commission expires } R. H. Jones Notary Public
Feb 27th 1899 } of Carroll Co Arkansas

The State of Arkansas } In the Matter of the
County of Carroll } Application of Louisa
J. Harris for Cherokee
Citizenship in the Cherokee Nation before
Before me the undersigned authority
on this day personally appears Polly
M Jones who after being by me
first duly sworn according to law
upon her oath deposes and says.
My Name is Polly M Jones I am
65 years old My Postoffice address
is Berryville Arkansas— I am well
acquainted with the applicant Louisa J.
Harris. She is the grand daughter of
Nancy Hill whose maiden name was
Nancy Jones. She said Nancy Hill
with whom I was well acquainted was
of Cherokee Indian blood and
was recognized and reputed to be
the applicant has always claimed she
was is reputed to be of Cherokee
Indian blood. She married Hugo
Harris about the year 1876 and has
five Children now living with her
are of her blood— Don't what I am
acquainted— Albert the Harris [illegible]
James E. Harris " boy age 18.
Lula E. Harris " girl " 16
Emma E. Harris " " " 13.

Eddie L. Harris a boy— age 11 years
Affiant states that the said Nancy Hill
is the same person mentioned in the
Application and Evidence of J. J. Hill
filed before the Cherokee Council at Tahlequah
Cherokee Nation at Tahlequah Ind. Ter. August 5th
1898 — I have no interest in
this case

John W. Jones

Subscribed and sworn to before me this 29th
day of August 1898

My commission expires
Feb 27th 1899.

R. H. Jones Notary Public
of Carroll Co. Arkansas

The State of Arkansas } In the matter of the ap-
County of Carroll } plication of Laura
Harris for Admission
to Citizenship in the Cherokee Nation in So
Before me the undersigned Cashier of
this day personally appeared Elizabeth
Marby who after being by me
first duly sworn according to law
upon his oath deposes and says- My
Name is Elizabeth Marby I am 60
years of age My Postoffice address is Eureka
Ark. I know the applicant Laura
Harris she is the grand daughter of Mary
Hall whose maiden Name was
Mary Jane The said Mary Hall
was a Cherokee by blood & married
well applicants father to be a
Cherokee by Indian blood and Richard
Hall to the marriage of Mary & Mariam
and how her Children by said blood
and being well born in Carroll
county Ark
and } Elizabeth Marby

Subscribed and sworn to before me this 29th day
of August 1896.
My commission expires } R. H. Jones Notary Public
Feb 27th 1899 } of Carroll Co Arkansas

State of Arkansas } In the matter of the application
County of Carroll } of Mary E Thompson applicant
for Cherokee Citizenship in the
Cherokee Nation Ind. Ter.

Before me the undersigned authority on
this day personally appeared John H Jones
who after being by me first duly sworn accord
ing to law upon his oath depones and says—
I am 66 years old my post office address is
Berryville Arkansas— I am well acquainted
with the applicant Mary E Thompson and
have known her all her life. Applicant is the
grand daughter of Nancy Hill whose maiden
name was Nancy Jones. I was well acquainted
with the said Nancy Jones during her life time
she was known and reputed to be of Cherokee
Indian blood and I verily believe her to be part
Cherokee Indian. Applicant has always claimed
and has been reputed to be of Cherokee Indian
blood. Applicant married William H Thomp
son about the year 1881, they have born to them
in lawful wedlock five children now living
and minors: Mattie E Thompson a girl 12 years
old, Timothy E Thompson a boy 10 years old, Allen
K. Thompson a boy 8 years old, Vinnie E Thomp
son a girl 6 years old and Altie E Thompson
a girl 2 years old. I am not interested in
this claim. Affiant states that the said Nancy
Jones or Nancy Hill is the same person

mentioned in the application of J J Hill
filed before the Cherokee Council or court
dont know which, on or about the year A D 1884
in Tahlequah Indian Territory

John H Jones

Subscribed and sworn to before me this
29th day of August 1896

My commission expires Feb 27th 1899.

R. H. Jones Notary Public
of Carroll Co Arkansas

State of Arkansas } ss In the matter of the appli
County of Carroll } cation of Mary F. Thompson
applicant for Cherokee
Citizenship in the Cherokee Nation Ind. Ter.

Before me the undersigned authority on this day personally appeared Elizabeth Hurley who after being by me first duly sworn according to law upon her oath deposes and says. My name is Elizabeth Hurley. I am 66 years old my post office address is Berryville Ark. I am well acquainted with the applicant Mary F. Thompson who is the grand daughter of Nancy Hill her maiden name was Nancy Jones - The said Nancy Hill was known and reputed to be of Cherokee Indian blood and I believe her to be. Applicant is reputed to be of Cherokee Indian blood - I am not interested in this case or related to the applicant

Elizabeth her X Hurley
mark

Attest
R. H. Jones

Subscribed and sworn to before me this 29th day of August 1896

My commission expires Feb 27th 1899. } R H Jones Notary Public of Carroll Co Arkansas

End

5545

APPLICATION FOR ENROLLMENT.

4

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CARANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of herself, brothers & Sisters and ...her... children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which ...her... claim is based are as follows, to-wit:

That the name of your petitioner is Lonie J. Cobb that petioner's age is 28 years; that her post-office address is Petriot, Lamar Dounty, Ala. That She is an admixture of white and Cherokee, and is at least one-[illegible] Cherokee blood. That She derives her Cherokee blood from her mother, the late Louiza Jane Evans, who was one-eighth Cherokee blood, and who was the daughter of the late William Thos. Evans. That the said William Thos. Evans was born in the State of Tenn., where he lived and died, and who was one-fourth Cherokee blood, and who was the son of the late James Evans That the said James Evans was born in the year of 17..., near what is now the City of Chatanooga , in what is now the County of Hamilton, State of Tenn., then the Cherokee Nation, and who resided with and among the Cherokees all of his life, and who spoke the Cherokee Indian language, and who was a half-blood Cherokee Indain, and a recognized citizen and member of the Cherokee tribe of Indians and ov the Cherokee Nation, in the old Cherokee Nation, now the State of Tenn.

A. Cobb Petitioner further states that She intermarried with Murry, and b such intermarriage there were born, and are now living, the here in below mentioned children. That said childrenare of Cherokee blood.

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely:

Affidavit of William Green Evans.

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted,

Lonie J. Cobb
Applicant.

NAMES.		AGES.		RELATIONSHIP.	
Elizabeth	Girl	2	Girl		
Madge E Stanley		17	[illegible]	Sister	
John Stanley		10	Boy	Brother	
James Stanley		8	Boy	Brother	Resides with me.

The State of Ala
Lamar County

Lonie J. Cobb

Subscribed and sworn to before me this the 7 day of [illegible] 1898.

John M. Kay
Notary Public.

My commission expires on the [illegible] day of [illegible] 1898

Stats 556

Somi J. Cobb

vs

Cherokee Nation

Jo H Fielding with
Jamel Bransford

Filed Sept 8. 1896

A S McKennon
Clerk

Rejected

Jos H Mullen
Atty
South Mc Alester

AFFIDAVIT OF WITNESS.

IN THE MATTER OF PETITION AND MEMORIAL OF ..Lonnie J. Cobb.....

FOR ADMISSION TO CITIZENSHIP IN THE ..Cherokee.. NATION.

STATE OF ..Alabama..)
) SS.
COUNTY OF ..Lamar..)

Before me, the undersigned, a Notary Public in and for the County and State aforesaid Personally appeared ..William Green Evans.. who, being by me duly sworn states:

That ..he.. is ..... years of age, a resident of the State of ..Alabama.. and County of ..Lamar.. and that ..he.. is personally acquainted with ..Lonnie J. Cobb.. who is an applicant for citizenship in the ..Cherokee.. Nation. Affiant further states

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

That the said Lonnie J Cobb is an admixture of white and Cherokee, and is at least one-sixteenth Cherokee blood. That She derives her Cherokee blood from her Grand Mother Louisa Jane Evans who was one-eighth Cherokee blood, and who is was the Daughter of the late William Thos. Evans. That this affiant was partly raised with the said William Thos. Evans, and this affiant knows full well that the complexion and physical appearance of the said William Thos. Evans indicated very strongly that he is was of Cherokee blood. Affiant further states that the said William Thos. Evans has taught this affiant from his earliest infancy that he, the said William T., was one-fourth Cherokee blood; and that he was the son of the late James Evans: that the said James Evans was born in the year of 17..., & in what is now Hamilton County, State of Tenn., and that he died in the same county about the year of 1825; that he resided with and among the Cherokees all of his life, and that he spoke the Cherokee Indian language, and was a half-blood Cherokee Indian, and was a recognized citizen and member of the Cherokee tribe of Indians.

Affiant further states that he knows that the said Lonnie J. Cobb is the identical person that She represents herself to be in her application for Cherokee citizenship; and that She is a direct lineal descendant of the late James Evans great Cherokee Indian family; and that She, the said Lonnie Cobb, and her descendats are rightfully and justly entitled to the rights of citizenship in the Cherokee Nation by virtue of their Cherokee blood. As is also her brothers & Sisters as is in her application to wit:- Madgie & Stanley John Stanley & James Stanley - who are all of the same Mother.

Affiant further states: That ..he.. has known the said ..Lonnie J. Cobb.. for the past ..26.. years, and knows that ..She.. has been and is recognized by ..her.. neighbors, acquaintances and the public generally as having ..Cherokee.. Indian blood and that the complexion and physical appearance of the said ..Lonnie J. Cobb.. indicate that ..She.. is of ..Cherokee.. Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said ..Cherokee.. ..he believes the said ..Lonnie J. Cobb.. to be a descendant by blood of the ..Cherokee.. Indian tribe.

..W. G. Evans..

Subscribed and sworn to before me this ..7.. day of ..Feb.. 189..6

..John H. Cary..

NOTARY PUBLIC.

My commission expires 1898

BALLOUGH BATH POINT.

End

5546

3427 6546

Mayford Fields

vs

Cherokee Nation

1896. ☆

ENNON

Filed Sept. 10. 1896.
W. M. Treadway
Clerk

Rejected

Harriman Jones

FILED SEPT. 8

A. S. McK

COM'R

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Cherokee Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ~~his~~ Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfullly makes the following statement of the ground of ~~his~~ Application, to wit:

That he is the husband of ~~is wife~~ Susanah R. Addition now Susan R. Fields, who is the daughter of John Austin and grand daughter of one Denis Austin who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully asks you Honorable Councilors that he be admitted to all the rights of Cherokee citizens in the Cherokee Nation in lands and funds. And he respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age 60 years; Postoffice Harriman Tennessee,

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship.
1	Mumford Fields	male	60	Applicant
2	Susan R. Fields	Female	35	wife of applicant

In witness of which Application, I hereunto set my hand on this the 31st day of August 1896

Mumford his mark Fields

Subscribed and sworn to before me this 31st day of August A. D., 1896

Johan Benefiel
Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

AFFIDAVIT OF WITNESS.

STATE OF Tennessee }
COUNTY OF Roane }

BEFORE ME, the undersigned a Notary Public, in and for the county and state aforesaid, personally appeared Hiram Lasson who, after being by me duly sworn, states that he is 64 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Mumford Fields who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his application for citizenship in said Nation, and that the said Mumford Fields is the husband of Susan R Fields Cantonment now Susan R Fields who is the daughter of Johnstantion and grand daughter of Dennis Cantion. All of whom he has known and have well acquainted with for the past 35 years and the whole people longer, and he knows that they were all born known recognized and intermingled with the Cherokee Indians by all of their friends neighbors and acquaintances and the public generally as such and they are now and have always been and the Cherokee Indians and that the records of the Cherokee Nation contain the names of Cherokee Indians

Affiant further states that he has known the said Susan R. Fields for the past 35 years and knows that she is and has been recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complexion and physical appearance of the said Susan R. Fields indicate ~~that the said~~ is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Susan R. Fields affiant states he has every reason to believe, and does believe, that the said Susan R. Fields is of Cherokee Indian blood.

Affiant further states ~~that~~ that he has no interest whatever in the prosecution of the claim of the said Mumford Fields to citizenship in the Cherokee Nation, I. T.

his
Hiram × Lasson
mark

Subscribed and sworn to before me this 2nd day of September A. D., 1896

and I further certify that I am well acquainted with the said Affiant and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of January 1897

~~JOSEPH P. BIBBS, Attorney at Law.~~

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared Daniel B. Bazzell sr who after being by me duly sworn, states that he is 74 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Susan R. Fields who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person she represents herself to be in her appliciaton for citizenship in said Nation, and that the said Wmnford Field, is the husband of Susan R. Fields now Susan R. Fields who is the daughter of John Davis Foulkes and grand daughter of Dennis Foulkes all of whom he has known and been well acquainted with for the past 25 years and the old people and he knows that they have all been known, recognized and acknowledged to be of Cherokee Indian blood in fact, by all of their friends, neighbors and acquaintances and the public generally. Affiant further says I have seen many Cherokee Indians and the above named John and Dennis Foulkes showed all of the charateristics of Cherokee Indians

Affiant further states that he has known the said Susan R Fields for the past 35 years, and knows that she is and has beeen recognized and treated by her neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Susan R Fields is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Susan R Fields affiant states he has every reason to believe, and does believe, that the said Susan R Fields is of Cherokee Indian blood.

Affiant further states that he has no interest whatever in the prosecution of the claim of the said Wmnford Field to citizenship in the Cherokee Nation, I. T.

Daniel B. Bazzell sr

Subscribed and sworn to before me this 1st day of September A. D., 1896, and I further certify that I am well acquainted with the said affiant and know him to be a person of credibility and of truth and veracity.

Isaac Benefiel Notary Public.

My Commission expires on the 12th day of January 1897

End

5547

B438 5847

Nation's No. 2136

Commission's No. .....

In re Application of

Chas. N. Scales -
et al -

Demurrer and Answer.

FILED SEPT. 25 1896.
A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Lehon K Scales et al

Nation's No.....

Commission's No.....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer but insisting upon the same for answer to said application, says that James Sapulvord through whom the petitioner claims to derive his right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings, Hutchings & Bandinel Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 18 day of Sept 1896.

D. J. Ball

NOTARY PUBLIC.

State of Arkansas }
County of Benton }

Be it remembered that on this the 3rd day of Sept. 1896 came before me a notary Public for the County & State above mentioned A. Kilton of Decatur Benton Co, Ark. after after being sworn States in addition to the status of Charles N. Scales for citizenship in the Cherokee Nation a follows, I age 45 years I have been acquainted with Charles N Scales for 7 years and it has been my understanding and the understanding generally that he is a Cherokee Indian by blood I am not interested in the above case, And on the same day also came Benjamin Peterson of Decatur Benton County Ark & states upon oath as follows in the above case of Charles N. Scales my age is 53 years I have known Charles N Scales for 7 yrs it has been my understanding and the understanding generally That he is a Cherokee Indian by blood and to the best of my knowledge I believe him to be a Cherokee Indian by blood I am not interested in the above case, In witness whereof we have set our hand and seals this the 3rd day of Sept 96

In witness whereof I have set my hand and seal this the 2nd day of Sept. 1896.

A Kelton
Benjamin Peterson

Subscribed and sworn to before me this the 2nd day of Sept 1896.

J. W. Blair
Notary Public

commission expires August 7th 1898

6547

Charles N. Scales

vs

Cherokee Nation

Files Sept. 8th 1896.

A. I. McKennon
Comm

Rejected

Application for Citizenship

To the Honorable Dawes Commission
Vinita I. T. I Chas N. Scales, who presents to your honorable body this my application as asking citizenship in the I.T. Cherokee Nation upon these grounds that I am a Cherokee by blood, being the son of Rebecca Scales Nee Rebecca Tipsword who was the daughter of the late William Tipsword, who was the son of the late James Tipsword, who was a full blood cherokee Indian, who moved to Illinois about the year 1812, from North Carolina. I am 23 years old. Those who I wish admitted, if your honorable body decides in my favor is my wife Martha E. Scales, age 20 years and my children Charlie N. age 4 years a son, and Lottie L. Scales age is 2 months a daughter. My P. O. address is

Decatur
Benton Co.
Ark.

In witness whereof I have set my hand and seal this the 3rd day of Sept 1896

Chas N Scales

Subscribed and sworn to before me
this 3d day of Sept. 1896.

J. W. Blair
Notary Public

commission expires August 7th 1898

End

5548

No 4482

5548

Sara Worde et al

vs

Cherokee Nation

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R.

Rejected

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Elizabeth L. Drake for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Elizabeth L. Drake, being duly sworn, represents that she is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Jerra Ward Great Uncle and grand father whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 1835, was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Ethel May Drake	11	Female

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 34 years of age, and a resident of Nowata I. T.

Your petitioner further states that she has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Lucy Elizabeth Drake

Subscribed and sworn to before me this 7 day of Sept, 1896

W. H. Grant
Notary Public.

My commission expires Feb 5 1898

This is to Certify that I have
PK Register to Chief of Cherokee
Nation and contained Proof & affidavits
& Evidence in case of Dra Ward
& on his children for Enrollment
Enclosed to.
Sept 7 1846 Alley Hammock

Subscribed and Sworn to
before me this Sept 7 1846
L.W. Frost
Notary Public

REGISTRY RECEIPT.

Post Office at Dougherty I.T.

Registered Letter / Parcel } No. 4 Rec'd Sept 7, 1896

of Ida Wood

Neb I.T.

addressed to Chief of Cherokee Nation

Tahlequah I.T.

Mary E. Ingram, P. M.

to the Hon Dawes Comm
Vinita I. T.

I Ira Ward claim my right as
a Cherokee Indian through Jerry Ward
who was my uncle and a bro to my father
James Ward My Evidence and affidavits
& witnesses is at Tahlequah in the cases
of Jerry Ward heirs and the Gamblills
and also with the Hon Dawes Comm
I Pray you to Place my name on
the Rool of Citizenship
the attor for the Gamblls is W.M. Edmiston
of Vinita I.T. this Sept 7, 1896

Subscribed and Sworn to before
this Sept - 7 - 1896

W.M. Friend -
Notary Public

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Sarah Ellen Murdoch for Citizenship
in the Cherokee Nation, Indian Territory.

Your petitioner, Sarah Ellen Murdoch being duly sworn, represents that She is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Jesse Ward Petitioners Grand Uncle his grand father Bro. whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 1835, was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 40 years of age, and a resident of Daugherty

Your petitioner further states that She has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Sarah Ellen Murdoch

Subscribed and sworn to before me this 7 day of Sept, 1896

L. W. Stevens
Notary Public.

My commission expires Feb 6th 1898

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Mary Susan Preston for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Mary Susan Preston, being duly sworn, represents that she is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Jesse Ward Peterson Great- Uncle and Grand father whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18....., was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Ora Pearl Preston	14	Female
James Matterson Preston	11	Male
Ora Floyd Preston	9	Female
Willie Elonzo Preston	5	Male
Martha Elizabeth Preston	1	Female

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 38 years of age, and a resident of Nowata I. T.

Your petitioner further states that She has not, to the best of her knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Mary Susan Preston

Subscribed and sworn to before me this 7 day of Sept, 1896

L. W. Stewart
Notary Public.

My commission expires Feb 6 1898

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Patience Ida Wall for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, Patience Ida Wall, being duly sworn, represents that he is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Josie Waid Pettitoms Great Uncle & Grand Father whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18....., was a Cherokee Indian by blood, through whom petitioner claims her rights to Citizenship in said Nation, together with the rights of her children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Ira William Wall	1 yr	Male

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 27 years of age, and a resident of Nico I. T.

Your petitioner further states that she has not, to the best of knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that her name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence she desires considered and prays that on the final hearing in the premises, her name and that of her children be placed on the rolls to be prepared, and applicant's rights, with those of her said children, be determined as per the proof herewith, and the laws and treaties governing.

Patience Ida Wall

Subscribed and sworn to before me this 7 day of Sept, 1896

L Wilhoit
Notary Public.

My commission expires Feb 6 1898

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of James Madderoon Ward for Citizenship
in the Cherokee Nation, Indian Territory.

Your petitioner, James Madderoon Ward, being duly sworn, represents that he is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Jesse Ward Petitioners is a grand-uncle an Grand Father whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 1835, was a Cherokee Indian by blood, through whom petitioner claims his rights to Citizenship in said Nation, together with the rights of his children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
James Delman Ward	6	Male
Ira Elmer Ward	3	Male
L. D. Beane Ward		" "

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 30 years of age, and a resident of Nowata I.T.

Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence he desires considered and prays that on the final hearing in the premises, his name and that of his children be placed on the rolls to be prepared, and applicant's rights, with those of his said children, be determined as per the proof herewith, and the laws and treaties governing.

J M Ward

Subscribed and sworn to before me this 7 day of Sept, 1906

I M Frost
Notary Public.

My commission expires Feb 6th 1908

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of Ira Ward for Citizenship
in the Cherokee Nation, Indian Territory.

Your petitioner, Ira Ward, being duly sworn, represents that he is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Jerry Ward Petitioners male issue Bro of Petitioner Indian whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 1895, was a Cherokee Indian by blood, through whom petitioner claims his rights to Citizenship in said Nation, together with the rights of his children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Nancy Jane McGowen	42	Female
Sarah Ellen Murdock	40	" "
Mary Susie Preston	38	" "
Elizibeth L. Drake	34	" "
James Madison Ward	30	Male
Palmer Ada Hall	27	Female
Martha Manerva Ward	24	" "

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 64 years of age, and a resident of Nico I. T.

Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence in his desires considered and prays that on the final hearing in the premises, his name and that of his children be placed on the rolls to be prepared, and applicant's rights, with those of his said children, be determined as per the proof herewith, and the laws and treaties governing.

Ira Ward

Subscribed and sworn to before me this 7 day of Nov, 1896

H C Grimsley
Notary Public.

My commission expires Feb 6 - 1898

End

5549

No 5548

Sabra Harmon

vs.

Cherokee Nation

Order of Appeal

6-439

NOTICE.

#236

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Sabra Harmon to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the Five Civilized Tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Sabra Harmon

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 20th. day of January, 1897. A.D. 189.

Clerk.

End

5560

5550 B439

Nation's No. 4348

Commission's No .....

In re Application of

John Dunphy

Demurrer and Answer.

FILED OCT. 21, 1
H M JAMWAY-

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

John Parsley et al

Nation's No.

Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant V are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mary Nicholens through whom the petitioner V claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Rowland Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

[signature]

Subscribed and sworn to before me this, the 5 day of Oct 1896.

D. L Bell

NOTARY PUBLIC

Nation's No. 4249

Commission's No .....

In re Application of

John H Parkley

Demurrer and Answer.

FILED OCT, 21,
M JACOWAY-
SEC.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

John W Parsley et al

Nation's No. .....

Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ~~is~~ are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Mary Nicholson through whom the petitioner ~~is~~ claim to derive ~~their~~ right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Rowland Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

Subscribed and sworn to before me this, the 6 day of Oct 1896.

D. J. Ball

NOTARY PUBLIC.

Before the Hon Dawes Commission. Finale Indian Territory

In the Matter of the application of John H. Tarpley for recognition as a Cherokee Indian and enrollment upon the Tribal Records

Motion for nunc-pro-tunc order to file this application.

Comes John H. Tarpley and moves that his application attached hereto be filed at this term for September the fourth, when the same was by the Hon Commission received, and that he be granted leave to file at this time his proof of service of said Application as an Amendment to the same. And in support of this motion he refers to and offers his affidavit and the letter of the Hon. Commission showing said application to have been in the hands of said Commission on said 4th day of September 1896.; and herewith tenders proof of service as an Amendment hereto.

John H. Tarpley
By Shuttlesworth Hudson Ally

John H. Tarpley
Romulus Post Office
Oklahoma Ter.

To the Honorable Henry L Dawes and others
Composing the Commission to the five civilized
Tribes.

Your petitioner John H Tarpley moved state
and shows from the proof submitted to the Commission that he is a Cherokee by descent and by blood, having been born in Collin County State of Texas. on the 12th day of January 1861. My fathers Name Was Collin S Tarpley my Mothers name is Nancy J Tarpley. that I now reside in Pattawatomi County Oklahoma Territy and have resided in said County one year. and he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. and he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of Congress of the United States and the treaties of such Nation with the United States a citizen of such Nation with all the rights privileges and protection of Citizenship in such Nation.

Wherefore he herewith respectfully submits to the Consideration of the Honorable Commission such proof, and on the hearing he be entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

John H Tarpley

Territory of Oklahoma }
Pattawatomi County }

Now on this 2nd day of ~~August~~ September 1896. personally appeared before me John H Tarpley — in and for said County John H Tarpley who being duly sworn upon his oath states that the facts above set forth are

correct and true.

Sworn to and subscribed before me this 2nd day of September 1896.

W. Warwick
Notary Public

My Commission Expires June 20th 1898.

COMMISSIONERS.
HENRY L. DAWES.
FRANK C. ARMSTRONG.
ARCHIBALD S. MCKENNON.
THOMAS B. CABANISS.
ALEXANDER B. MONTGOMERY.
H. M. JACOWAY, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita, Ind. Ter., Sept. 4, 1896.

John H. Tarpley, Esq.,

Tecumseh, O. T.

Dear Sir:-

I herewith reu'n your application. There is no proof of service of copies on the chief. I also inclose you full instructions, which will give you all the information you will need in the proper preparation of your claim for hearing before this Commission. Follow these instructions closely. All applications must be filed in this office by Sept. 10, 1896.

Yours Truly,

H. M. Jacoway, Sec&.

Pottawatomie County }
Oklahoma Territory } ss.

I, Wright Christian do solemnly swear that I am disinterested in the matter of the application of John H Tarpley to the Dawes Commission for Citizenship in the Cherokee Nation; and that on the 29th day of September 1896 I saw a package registered at the Post office of Tecumseh Oklahoma Territory, addressed to Chief Ross, Tahlequah of the Cherokee Nation at Tahlequah Indian Territory; that registry receipt No 128 received from postmaster, hereto attached, is a receipt for said package which contained a true copy of the application and affidavit of John H Tarpley for recognition as a citizen of the Cherokee Nation.

Wright Christian

Subscribed and Sworn to before me this Sept 29th 1896.

W. B. Mundy.
Notary Public
my com. expires Feby 3rd 1897.

REGISTRY RECEIPT.

Post Office at Tecumseh O.T.

Registered Letter / Parcel No. 128 Rec'd Sept 29 1896

of J H Tarpley
Pottawatomie Co
O T

addressed to Chief Ross
Tahlequah
I T

J W Moyer P. M.

Pottawatomie County }
Oklahoma Territory } ss.

I, John H. Tarpley being first duly
sworn on my oath say that I am the identical John H. Tarpley
who on the 2nd day of Sept 1896 forwarded to the Hon. Commissioner
sitting upon matters of Indian Citizenship at Tinita Indian
Territory, the application papers attached & by said Commissioner
filed and Entered; that on the 29th day of September I received
at the Post Office in Tecumseh said Petition returned because
as stated in a letter of date, Sept 24th 1896, from said Commissioner
proof of service of copy had not been shown to have been made
on the Chief of the Chickasaw Indians. That this returned ap-
plication and instructions from said Hon Commissioner came not
received until long after the time had expired (when said
Application was under this instructions and rules of
practice filed, that such delay was not the fault of this
affiant, and that upon receipt of the instructions above men-
tioned this affiant employed all and every diligence in supply-
ing the omission as to notice and returning said application
with proof of service as required.

John H. Tarpley

Subscribed and sworn to before me on this Sept 1st 1896

E. B. Hamilton
Notary Public

my com. exp. Feby 3rd 1898.

End

55513439

Nation's No. 4940

Commission's No.....

In re Application of

M M Dudley et al

Demurrer and Answer.

FD OCT 21.
M JACOWAY-

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
W. W. Dudley
for citizenship in the Cherokee Nation.

Nation's No. 4940
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant ..... entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that George Downing through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

That petitioner has not shown by sufficient proof that they are the descendants of the Downing family and that respondent further states that Dudley has not complied with any law of the Cherokee Nation in force in the Country. That if he is residing here now it is only for temporary purpose until this application can be heard as he has resided for years as resident citizen in Tahlequah

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings & Hastings Mansfield Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

William M. Smaga

Subscribed and sworn to before me this, the 15 day of Dec 1896.

J. D. Dougherty
NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at Visita S. J.

Registered Letter Receipt } No. 690 Rec'd Sept 9 189 6

of Fred Macey

addressed to D. H Mayes
Tahlequah I. T.,
Ok Trayser R. P. M.

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Ft. Gibson, Indian Territory, April 4, 1901.

Mr. A. L. Aylesworth,

Secretary, Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:-

Please send me immediately the original papers filed with the Commission in 1896, in the following cases:

✓ No. 5551, W. W. Dudley et al. vs. Cherokee Nation.

✓ No. 5400, Henry Harvey Hampton and Emeline Johnson et al. vs. Cherokee Nation.

These papers will be returned to you promptly.

Respectfully,

Commissioner.

4/6-01-

Returned 4/13-01

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 6, 1901.

The Dawes Commission,

Fort Gibson, Indian Territory.

Gentlemen:

As requested in your letter of April 4th there are sent you herewith the original papers filed with the Commission in 1896 in the cases of W. W. Dudley at al vs the Cherokee Nation, office file No. 5551, and Henry Harvey Hampton and Emeline Johnson, et al, vs the Cherokee Nation, office file No. 5400.

Very respectfully,

199 Mc.

(Signed) Tams Bixby,
Acting Chairman.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, [redacted], do solemnly swear that on the 9 day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. ....., hereto attached, is a receipt for said package, which contained true copies of the application of W. N. Dudley

and of the affidavits of W. N. Dudley, Ann Dudley, Jno. M. Taylor, Tempy Whetsuie, Peggy Woodall, Lucy Flute, Thomas Louis and Margret Holleniger

in support of same. That affiant has no interest in this matter.

Ford Mac

Subscribed and sworn to before me this, the 9 day of September, 1896.

Harvey E. Dow-Carter,

Notary Public, My Commission Expires May 11th, 1900.

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of W.W. Dudley for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, W.W. Dudley, being duly sworn, represents that he is a Cherokee Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That Peggy Dudly, nee Downing, Petitioners Great Grand Mother whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18\, was a Cherokee Indian by blood, through whom petitioner claims his rights to Citizenship in said Nation, together with the rights of his children. Grand Children Nephews & nieces The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
W.A. Dudley	36	Son
Hatty B. "	13	Gr. Daughter
Jas. B. "	9	" Son
Ella B. "	7	" Daughter
Mary A. "	4	" "
Geo. B. "	2	" Son.
Cassie A Carlock, nee Dudly	40	Daughter
John K. "	23	Gr. Son
Mary A. "	22	Gr. Daughter
Wm. J. "	20	" Son
Gus. M. "	18	" "

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is ..... years of age, and a resident of .....

Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that his name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence he desires considered and prays that on the final hearing in the premises, his name and that of his children by former wife be placed on the rolls to be prepared, and applicant's rights, with those of his said children by former wife, be determined as per the proof herewith, and the laws and treaties governing.

.....

Subscribed and sworn to before me this 9 day of Sept, 1906

....., Notary Public.

My commission expires .....

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of ..... for Citizenship
in the Cherokee Nation, Indian Territory.

Your petitioner, ..., being duly sworn, represents that he is a ..... Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That ..... whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18....., was a Cherokee Indian by blood, through whom petitioner claims ..... rights to Citizenship in said Nation, together with the rights of ..... children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Rachel Carlock	16	Gr. Daughter
Moses F. "	12	" Son
Paul. W. "	10	" "
Lula B. "	8	" Daughter
Nelia R. "	5	" "
Albert B. "	4	" Son
Ellen C. "	1	" Daughter
Elizabeth B. Garnett	64	Sister of following children,
J R "	46	Nephew
Jos. H. "	35	"
Edgar L. "	28	"

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is ..... years of age, and a resident of .....

Your petitioner ferther states that ..... has not, to the best of ..... knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that ..... name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence ..... desires considered and prays that on the final hearing in the premises, ... name and that of ..... children be placed on the rolls to be prepared, and applicant's rights, with those of ..... said children, be determined as per the proof herewith, and the laws and treaties governing.

.....

Subscribed and sworn to before me this ..... day of ....., 189

..... Notary Public.

My commission expires .....

3

APPLICATION FOR ENROLLMENT.

Before the Honorable, THE DAWES COMMISSION, duly appointed and authorized to hear and determine applications for citizenship in the Indian Territory:

In re-application of .....for Citizenship in the Cherokee Nation, Indian Territory.

Your petitioner, ..., being duly sworn, represents that he is a ..... Indian by blood and entitled to the rights, privileges and benefits of Indians of the Cherokee Nation, Ind. Ter.

That .....

whose name, petitioner believes, appears on the Cherokee Indian rolls, regularly made and adopted in the year 18....., was a Cherokee Indian by blood, through whom petitioner claims ..... rights to Citizenship in said Nation, together with the rights of ..... children. The names, age and sex of said children are as follows:

NAMES.	AGE.	SEX.
Edgar H. Dudley	35	Son
Jas. P. "	33	"
Cornelia C. "	30	Daughter
Emily B. Armstrong nee Dudley	28	"
John W. Dudley	27	Son
Robt. D. "	25	"
Samuel T. "	19	Daughter
John M Dudley	24	Nephew
Wm. "	27	"
Isabella M "	21	Niece
Ellen "	19	"

That neither your petitioner or ancestors have, at any time, taken a reservation in the old Cherokee country or upon any neutral Indian lands.

That petitioner is 67 years of age, and a resident of Indian Territory.

Your petitioner further states that he has not, to the best of his knowledge, violated any of the laws or treaties governing the rights of Cherokee Indians or those claiming rights as such and that his name not appearing on the rolls of said Indians is no fault of petitioner.

Your petitioner herewith submits the evidence he desires considered and prays that on the final hearing in the premises, his name and that of his grand children, Nephews & Nieces children be placed on the rolls to be prepared, and applicant's rights, with those of his said children, be determined as per the proof herewith, and the laws and treaties governing.

W. M. Dudley

Subscribed and sworn to before me this 9th day of Sept, 1896

Harvey L. Dawes, Notary Public.

My commission expires May 11-1900.

Cherokee Nation
Indian Territory } S.S.

W. W. Dudley being duly sworn says: I am 67 years of age and a resident of the Indian Territory -
I am of Cherokee Indian descent and moved to the Cherokee Nation, Indian Territory about the year 1872. when I have resided ever since -
The children named in Affiant application for enrollment are correctly named -
That Affiant nor ancestors, have never taken any allotment in the Old Cherokee Nation, nor upon neutral Indian lands -
Affiants great grand mother, Peggy Dudley Nee Downing was a daughter of George Downing a recognized Cherokee Indian by blood -
They had a son, Ambrose Dudley Sr who was affiants grandfather -
Affiants grandfather Ambrose Dudley Sr married a daughter of Robert Baker, and her mother was a daughter of John Daugherty a recognized Cherokee Indian by blood. Thus affiant claims Cherokee Indian blood on both sides of the house. The above is true according to Affiants knowledge and belief -
Affiant further states that Elizabeth A. Garrett is his full sister, and that the names of her children in her Application for citizenship are correctly given. W. W. Dudley

Subscribed and sworn to before me this 9th day of Sept 1896. Harvey E. Dow Carley

Notary Public, My Commission Expires May 11th, 1900.

Ann Dudley
affidavit

I Certify that the within
is a True Copy of
the Orgenal affidavit
of Ann Dudley
J R Garrett Clerk of
Young Inafke County Court
Nov 21st 1891

State of Arkansas }
County of Madisan } Personaly appeard before Me
G T Berry Notary Public in and for
the County of Madisan And Duely
of the above named county and State and
after being duly Sworne Makes the following
Statement to wit

I am Seventy Seven
Years of Age and I am the Widdow of
Ambrose Dudley Jr and I further State
that Wm Dudley James L Dudley and Elizabeth
E Garrett (formerly [redacted] B Dudley) are
the said Ambrose Dudleys Children
and I am Ther Mother and the said
Ambrose Dudley Claimed to be Relation of the
Dawnings and Dugherty and was Recognized as
Cherokees in the State of Tennessee Where we
formerly lived

her
Anne Dudley
mark

Sworn to before Me This
1st day of January 1885

G T. Berry
Notary Public

Copy of affidavit of John M Taylor in relation to Elizabeth Saunt being a Cherokee

1

This day Jany 27th 1878 comes before me H H Tunnel Clk of the Supreme Court Cherokee Nation, John Taylor, and makes affidavit that Simeon Garrett a colulemun and formerly from Tennessee, has a Cherokee for his wife, who was formerly Elizabeth Dudley, and recently removed into the Cherokee Nation, and now wishes to comply with the Intermarriage law and makes the application now through the proper Channel

Jany 27th 1878

(signed) John M Taylor

I hereby certify that the above is a true Copy of the Affidavit of John M Taylor on file in the Clerks Office of Tahlequah District C N

Given under my hand & seal of Office This 14th November 1885-

Allen Ross, Clerk

J. D. C. N.

Affidavit of Mrs
Jemima Sanders in case
of Elizabeth Garrett
Claiming Schooner Lubyan
Ship

Document
10

Qualified by W M
Dudley as the
papers received
from the Ex Depart
ment this 21st
Nov 1885

Allen Ross
Clerk DC&C

Mrs Elizabeth Garrett formaly Dudley
a decendant of the Dorherty family
Claiming Cherokee Citizenship by blood

Personally Comes this day before me
W H Turner Clk of the Supreme Ct
Cherokee Nation Tempy Sanders or
Whitmire who makes the following
Statement on oath To Wit
I am personally acquainted with
the Claimant Elizabeth Garrett who
was a decendant of the dorherty family and
know her to be of Cherokee blood both
from the dorherty and Downing family
I know said Claimant in the Old Nation
Cherokee Nation West Tennessee
Sworn to and Subscribed before me
Sept 8th 1875 Signed Tempy Whitmire her mark

Signed W H Turner Clk } Citizen of the Cherokee Nation
Supreme Ct
Cherokee Nation

W H Turner
Certificate on
Deeds of Simeon
Garrett

Qualified by Wm Dudley
as being the papers
received from the
Dept this 21st Nov
1885
Allen Ross
Clerk I.D.T.M

I Certify that the within
is a true copy of the
original affidavit of
W H Turner in case
of Simeon Garrett
this 21st of Nov 1891
D R Garrett Clerk
of Going Snake Dist
T.M.

This Certifies Simeon Garrett a White Man and a Citizen of U.S. has obtained from this Office a Licens to Marry a Cherokee Citizen of this Nation under Proper Recomendation provided under the Laws Regulating Intermarrage with White Men April 15th 1873

W H Turner Clerk
Dist Ct Tah Dist
Cherokee Nation

Copy of License
granted to Samuel
Gaunt to Marry
Elizabeth Gaunt
formerly Dudley

(Copy)

This will certify, I, William H Turner Clerk of the District Court in and for the District of Tahlequah do, by Virtue of the authority in me vested by law, this day grant Simeon Garret a white man and a Citizen of the United States to marry Elizabeth B Dudley a Cherokee, and descendant of the Haughty family - and

Therefore

Any Ordained Minister of the Gospel or Judge of any of the Courts of the Cherokee Nation,

You are hereby authorized to Join in Marriage Mr Simeon Garret a White man and Elizabeth B Garret formerly Dudley a Cherokee, and return this Instrument with your Certificate of Joining for record

Given under my hand in office Jan 27th 1873

(Signed) W H Turner Clerk
Dist Court for Tahlequah
Dist Cherokee Nation.

I hereby Certify that the foregoing is a true Copy of the original on file in the Clerks Office of Tahlequah District This 14th day of November 1873.

Allen Ross, Clerk

I certify in compliance with the above license I have this day Joined in the Holy bonds of Matrimony Mr Simeon Garrett and Elizabeth B Garrett (formerly Dudley) a Cherokee This 9th day of March 1873

Signed Michael Thornley
Minister of the Gospel

I Certify that the above is a true Copy of the Certificate of Marriage by Rev Michael Thornley Minister of the Gospel

Given under my hand & seal of office Allen Ross, Clerk
I.T. C.C.C.

A Copy of
Peggy Woodall
affidavit
in the Claime of
W M Dudley Claime

I Certify that the within
is a True Copy of the
Orignal affidavit of
Peggy Woodall
J R Garrett Clerk
of Going Snake Dist
Nov 21st 1891 J R

Clerks office
Going Snake Dist C.N.

Personally appeard before before A O Atkins
Deputy Clerk under W M Thornley clerk of
the Above Named District
I Peggy Woodall of the above named District
and after being duley Sworne Makes the follow
-ing Statement to wit I am Sixty four years
of age My Mother Nancy Woodall was about
85 or 86 years old told me in Cherokee that
She was acquainted in the Old Nation
With the Dudley family that Ambrose Dudley
a unakah married Peggy Downing who was
My Cousin a Cherokee and She was a daughter
of old George Downing and he was an old
Cherokee and Peggy Dudley her Cosin had Several
Children by the name of Bob Ambrose John
D and one daughter by the name of
Charlotte that She was well acquainted with
in the Old Nation and I heard My Mother tell Wm
W Dudley in English the Same and also
Told him that if his father name was
Ambrose that him and his brother James G
Dudley and Elizabeth B Garrett formuly
Dudley that they Wer her own blood Kin
and that She Claimed them as such by
Cherokee blood and I heard My Mother tell
her Grand Son Sam Waganer that the
above named Dudleys was his own [redacted]
Kin and for him to Treat them as such
this was in the Year 1873 or 4 and I have

made a
Statement of this on Oath before before
Allen Ross Clerk of Tahlequah Dist and
was sworn to it in the year 1878

her
Peggy × Woodall
Mark

Sworn to before Me this
the 3rd October 1884

A O Akins
Dept Clerk
Going Snake Dist
C. N

Affidavit of Lewey Fluty in case of Mrs Elizabeth Garrett claiming Chinese Exclusion Cert

Document
7

Qualifian by W M Dudley as being the papers Received from the Dept this 21st Nov 1891

Allen Ross
Chief Clerk

I Certify that the within is a true Copy of the Original affidavit of Lewey Fluty

J R Garrett Clerk of Geary Street Dist Ct. Nov 21st 1891

Mrs Elizabeth Garrett Relainment Cherokee
Citizenship by Blood
Formilerly Dudley a Dreendant of the
Dorherty family

Personally Came this day
before Me W. H. Turner Clk of the Supreme Ct
Cherokee Nation Lucy Flute who Makes ~~Oath~~
the following Statement On Oath I am
Personally acquantied with the Claimant Elizabeth
Garrett who a Dreendant of the Daugherty family
and Knew her to be of Cherokee Blood both
from the Daugherty and Dooning family
I Knew Said Claimant in the Old Cherokee Nation
Sworn to and Subscribid before Me
Oct 15th 1875

her
Lucy Flute +
mark

Sigma W H Turner Clk
Supreme Ct C N

State of Arkansas }
County of Pope }

Personly appeared
Before me John
Casey, an acting Justice of the Peace
with and for Said County of Pope
Thomas Louis of the above named County
and after being duly Sworn Makes the
following Statement To wit
I am Eighty one
year of age. I was Personaly acquainted
with the Dudley Family in the State of
Tennessee in the Sate 1830 or 31 and was a
Neighbor to them formeny years. Old
aunt Peggie Dudley was a Cherokee Indian
and was Recognised as such by her neighbors
and all that ever her. She was a ~~Dudley~~ Dudley
before she Married Ambrose Dudley (sic)
the Dudley Family was all Recognised
as Cherokees by the acquaintance and
often called Indians.

Thomas Louis

Sworn to before me this 16th day of
December 1884

John Casey J P

Form No. 77. Printed and for sale by Eastern Tennessee

CERTIFICATE OF MAGISTRACY.

State of Arkansas, }
County of Pope } I, James Pate

County Clerk in and for the County and State aforesaid, do hereby certify that
John Casey whose genuine signature appears to the above and foregoing
instrument is, and was at the time he signed the same, a
Justice of the Peace within and for said County
duly commissioned and sworn, and that his official acts are entitled to full faith and credit.

TESTIMONY WHEREOF, I have hereunto set my hand and seal of office this
the 26th day of Dece 1884

James Pate Clerk.

Thomas Fou
Affidavid

Margaret Holt
Aylesbeer

State of Arkansas
County of Pope

Personally appeared before me G H Berryman an Acting Justice ~~of the Peace~~ within and for said County of Pope and State of Arkansas Margret Hollinger of the above said County after being duley Sworne makes the following Statement to wit

I am Seventy Eight years of age I was acquainted with The Dudley Family in the State of Tennessee I was acquainted more than fifty years ago Grandman Peggy Dudley Was Generaly Recognised as a Cherocee Indian By all of her neighbors she Was a Resident before Her Maried Ambrose Dudley Dec.

Margret Hollinger

Sworn to before mee this 19th day of December 1884

G H Berryman J P

CERTIFICATE OF MAGISTRACY.

County of Pope } I, James Parks

County Clerk in and for the County and State aforesaid, do hereby certify that G H Berryman whose genuine signature appears to the above and foregoing instrument is, and was at the time he signed the same, a Justice of the Peace within and for said County duly commissioned and sworn, and that his official acts are entitled to full faith and credit.

TESTIMONY WHEREOF, I have hereunto set my hand and seal of office this the 26th day of Dec 1884

James Parks Clerk.

No 4-21 5551

N. N. Dudley et al
vs
Cherokee Nation

Filed Sept 9th 1896

FILED SEPT 9 1896.
A. S. McKENNON
COM'R.

Denied

M. M. Edmiston
-LAWYER.

End

5552

To the Honorable Henry L. Dawes and others composing the Commission to the Five Civilized Tribes:-

Your petitioners Pinetree Maxwell, William Meeks, Lewis Howard Jones and Lemuel Alex Jones, would state and show from the proof submitted to the Commission that they are Cherokees by decent and by blood having been born at the following places and dates; Pinetree Maxwell was born in Newton County Ark. about the year 1872. William Meeks was born in Newton County Ark. about the year 1875, Lewis Howard Jones, born in Searcy County Ark. about the year 1871, Lemuel Alex Jones, born in Searcy County Ark. about the Year 1869.

The father of Pinetree Maxwell and William Meeks, was Lewis Meeks, the mother of Pinetree Maxwell and William Meeks, was Telithy Jones. The father of Lewis Howard Jones and Lemuel Alex Jones was James Jones, the mother of Lewis Howard Jones and Lemuel Alex Jones was Betsey Standridge.

The Grand father of Pinetree Maxwell and William Meeks, on their mother side was John Jones. The Grand father of Lewis Howard Jones and Lemuel Alex Jones, on their father's side was John Jones. The said John Jones was a quarter Cherokee by Blood, and had and exercised all the rights and priviledges and enjoyed all the immunities of a Cherokee Citizen, his name appears upon the Old Settler Cherokee Roll of 1851, as shown by the files at Tahlequah and also at Washington.

The daughter of John Jones, Telithy Jones's name also appears on said Roll as a member by blood of the family of John Jones. The name of James Jones, son by blood of John Jones, name also appears upon said roll as a member of the family of the said John Jones. Pinetree Maxwell and William Meeks are the daughters by blood of Telithy Jones, Lewis Howard Jones and Lemuel Alex Jones are the sons by blood of James Jones Telithy Jones and James Jones are daughter and son [redacted] respectively of John Jones who was a quarter blood Cherokee Indian by blood, and whose name appears upon the Old Settler Cherokee Roll of [redacted]

I85I, as one of its citizens by blood, and the names of all of the sons and daughters by blood of the said John Jones, whose names are as follows; John Jones, Louis Jones, Eliza Jones, Mary Jones, James Jones and Telithy Jones, appear upon said Old Settler Cherokee Roll of I85I.

And the said Pinetree Maxwell and William Meeks were admitted and enrolled upon the Old Settler Cherokee Roll as heirs by blood of the said Telithy Jones, and drew old settler money at the Old settler payment in July of this year.

And Lewis Howard Jones and Lemuel Alex Jones were admitted and enrolled upon the Old Settler Cherokee Roll of the Cherokee Nation as heirs by blood of James Jones, and drew old settler money from the Cherokee Nation in July of this year, I896.

Wherefore your petitioners, herewith respectfully submit to the consideration of the Honorable Commission such proof, and on the hearing that they be adjudged entitled to such citizenship and their names be placed upon the proper Roll as a Citizen of Said Cherokee Nation.

Witness
R.A. Ringgamer.

his
William x Meeks
mark

Indian Territory,)
Northern Judicial District,) S.S.
Eufaula.)

Now on this the 5th. day of September, I896, personally appeared before me RobT. L. Simpson, a Notary Public, in and for the Northern Judicial District Indian Territory, William Meeks, who being duly sworn upon his oath states that he is one of the above named applicants, and that the other three applicants are absent in Arkansas on a visit and cannot be present to make affidavit to the foregoing application in person, and that he hereby makes said affidavit for himself and the other applicants herein, and that the facts set forth in the foregoing application are correct and true.

Robt. J. Hutcheson
Notary Public.

United States of America,
Indian Territory, Northern
Judicial District, Eufaula.

In the matter of the application of Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, to Citizenship in the Cherokee Nation.

Affidavit of S.P. Brassfield.

S.P. Brassfield of lawful age being by me first duly sworn deposes and says:-

My name is S.P. Brassfield, age 56 years, occupation farming, residence Eufaula I.T. I am well acquainted with Pinetree Maxwell, Lewis Howard Jones William Meeks and Lemuel Alex Jones, the above named applicants, I am also well acquainted with the father and mother of each of the above named applicants, the father of Lewis Howard Jones and Lemuel Alex Jones was James Jones, the said James Jones being a Cherokee Indian by blood and the son of John Jones a Cherokee Indian by blood, the Mother of Pinetree Maxwell and William Meeks, was Telithy Jones, a Cherokee Indian by blood and a daughter by blood of John Jones who was a duly recognized and enrolled member of the Cherokee Tribe of Indians by blood. The said Telithy Jones and James Jones are full brothers and sisters by blood and joint heirs by blood of the said John Jones [redacted]. I also know that the above named applicants are duly enrolled upon the old Settler Roll of the Cherokee Nation, and that they drew Old Settler money at the last Old Settler drawing which was in July of this year. The applicants have always been recognized as Cherokees by blood, but have only recently been placed upon the Old Settler Roll, the father [redacted] of Lewis Howard Jones, and Lemuel Alex Jones. James Jones [redacted] has been upon the Old Settler Cherokee Roll since 1851, the said [redacted] Mother of Pinetree Maxwell and William [redacted], Telithy Jones's name also appears upon the Old Settler Cherokee Roll

of I85I, the said Telithy Jones, and James Jones being enrolled as son and daughter ~~XX~~ respectively by blood of the said John Jones, and have ever since been recognized and considered as Cherokees by blood.

J. T. Brodsblebe

Subscribed and sworn to before me this the 5th. day of September, I896.

P. L. Simpson

Notary Public.

United States of America,
Indian Territory, Northern
Judicial District, Eufaula.

In the matter of the Application of Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, to Citizenship in the Cherokee Nation.

Affidavit of Abner Brassfield.

Abner Brassfield being by me first duly sworn deposes and says:-

My name is Abner Brassfield, age 41 years, occupation farming, residence Brooken I.T. I am well acquainted with Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, the above named applicants. I am also well acquainted with the father and mother of all of the above named applicants. The father of Lewis Howard Jones and Lemuel Alex Jones was James Jones, the said James Jones being a Cherokee by blood, and the son ~~MK~~ by blood of John Jones a Cherokee Indian by blood, the mother of Pinetree Maxwell and William Meeks was Telithy Jones, a cherokee Indian by blood and a daughter by blood of the said John Jones, who was a duly recognized and enrolled member of the Cherokee Tribe of Indians by blood. The said Telithy Jones and James Jones are full brothers and sisters by blood and joint heirs by blood of the said John Jones. I also know that the above named applicants are duly enrolled upon the Old Settler Cherokee Roll of the Cherokee Nation and that they drew money from the said Cherokee Nation at the Old Settler Cherokee payment in July of this year. The applicants have always been considered Cherokees by blood but were only placed upon said Old settler Roll about one year ago. The father of said Lewis Howard Jones and Lemuel Alex Jones, James Jones has been upon the Old Settler Cherokee Roll since 1851, as has also the mother of Pinetree Maxwell and William Meeks, Telithy Jones, the said Telithy Jones and James Jones having been placed upon said Roll by the said John Jones, as son and daughter

of the said John Jones, by blood, and the said James and Telithy Jones have ever since been recognized and known as Cherokees by blood.

Abner Brassfield

Subscribed and sworn to before me this the 5th. day of September, 1896.

D. J. Simpson

Notary Public.

TESTIMONY

I

United States of America,
Indian Territory, Northern
Judicial District, Eufaula.

In the matter of the Application of Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, to Citizenship in the Cherokee Nation.

Affidavit of Houston Hubble.

Houston Hubble of Lawful age being by me first duly sworn deposes and says:-

My name is Houston Hubble, age 36 years, occupation farming residence Eufaula I.T. I am well acquainted with Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, the above named applicants, I am also well acquainted with the mother and father of Pinetree Maxwell and William Meeks, and also well acquainted with the father and mother of Lemuel Alex Jones and Lewis Howard Jones, the father of Lemuel Alex Jones and Lewis Howard Jones was James Jones and James Jones was the son and heir by blood of John Jones from whom the applicants herein claim to get their Cherokee blood, . The mother of Pinetree Maxwell and William Meeks was Telithy Jones, and Telithy Jones was the daughter and heir by blood of John Jones, from whom they claim their Cherokee blood, the said James Jones and Pinetree Maxwell being brother and sister by blood. The said John Jones was always reputed as being an [redacted] cherokee citizen by blood and to the best of my knowledge he was a cherok[redacted]by blood. The said above named applicants have always been reputed as Cherokees by blood and to the best of my knowledge and belief drew money on the Old Settler Cherokee Roll at the last July payment.

WITNESS [redacted]

Subscribed sworn to before me
this 5th day of Sept. 1896.

W. J. Rees.
Notary Public.

TESTIMONY

BE IT REMEMBERED, That on this ..... day o

..... within the Northern District of the Indian Te

..... appeared before me,

..... for the United States Court in said Territory, within

..... Commissioner's

..... of natural

..... District thereof,

..... by me duly sworn according to law, deposes

..... My postoffice is

..... years.

5852

Emmett Maxwell

Chas

Chroska Redin

Filed Sept 27 1898

Ryan

United States of America,

Indian Territory, Northern

Judicial District, Eufaula.

In the matter of the Application of Pinetree Maxwell, Lewis Howard Jones, William Meeks and Lemuel Alex Jones, to Citizenship in the Cherokee Nation.

I W.T. Pears, do hereby certify under oath that I have this day mailed a true and correct copy of the application in the above styled causetogether with true + correct copies of the affidavit of Abner Brassfield, the Affidavit of S.P. Brassfield and the affidavit of Houston Hubble, taken to be used as evidence in the above styled cause, all of which were this day sent by mail to W.T. Hutchings, Attorney for the Cherokees, before said Dawes Commission, at Tahlequah Cherokee Nation , Indian Territory.

W. T. Pears

Subscribed and sworn to before me this the 5th. day of Septe ber, I896.

P. Simpson

Notary Public.

End

5553

5553 B439

Nation's No. 3584

Commission's No.....

In re Application of

Mary E. Taylor et al

Demurrer and Answer.

FILED Oct 7 1896.
A. S. McKENNON
COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Mary E. Taylor et al

Nation's No. 3584

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that they are colored freedmen & they are through whom the petitioner claim to derive right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof. not entitled to enrollment under the 9th article of the treaty of 1866 between the United States & the Cherokee Nation.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hastings & Robertson Defendant's Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this the 26 day of Sept 1896.

D. L. Bell
NOTARY PUBLIC.

3

REGISTRY RECEIPT.

Post Office at WAGONER, I. T.

Registered ~~Letter~~ Parcel No. 116 Rec'd Sept 7th 1896

of Gibbs (Wm) Parker
Wagoner I.T.

addressed to Chief Sam Mays
Tahlequah I.T.

Harry J Bettes acting P. M.

Indian Territory,
Northern Judicial Dist. } ss

Now on this the 7th day of Sept.
, 1896, personally appeared before me
J. D. Freeman a Notary Public in
and for said Territory ~~Dist. R. Houston~~ -
being duly sworn, upon his
oath states that he examined all
the papers of the Lawson (marriage)
case and find that the capias sent
to ~~Chief~~ is in every instance the
exact copies of the originals & further
examination ~~made~~ when ~~he~~ to the said trial
of ~~mistake~~ is the above & hereby
sign my name this the 7th day of
Sept 1896

Randolph R. Houston

Subscribed and sworn to before me
this the 7th day of Sept 1896-

J. D. Freeman
Notary Public

To the Honorable, the Dawes Commission,

Vinita, Ind. Ter:

Herewith we most respectfully beg to ask your honorable body to grant the herein petitioner a fair and full judicial hearing of

The cause of

Jyles Lawson, Mary E. Taylor (nee Lawson) and Lucy Junius (nee Lawson), who are Cherokee freedmen, being the children of Vanca Lawson, her all the rights and privileges of a native-born Cherokee which right she now enjoys, her name being on the rolls of Cherokee freedmen at Tahlequah in her mother's name(Gillus).

Therefore we pray that you enroll the above named children and grand children if you find from their affidavits, the above to be the correct geneology of the petitioner.

Respectfully submitted,

Gilbert Parker

Counsel for Petitioner.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, Lucy Juniors

for and on behalf of herself

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Freedmen and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee right, and I herewith submit the following to wit: Exhibit No. 1. Exhibit No. 2 & Exhibit No. 3 and 4. (with affidavit attached and I hereby affirm that this application is affirmed to and sworn to by my affidavit herewith attached) in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully Submitted.

Lucy Juniors

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Lucy Juniors (nee McGowen)	32	Daughter of Mandy Maxwell nee Lowery who is a Cherokee Freedman & Freedwoman and the roll of the Cherokee Freedmen of the Cherokee Nation in her Mothers name (Emiline Gilbert)
A Sister		
Two Children		

In witness of which I hereunto set my hand on this 7 day February 1900

5

Lucy Juniors

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT DAMAGED

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes;

YOUR Petitioner [illegible] would state and show from the proof submitted to the Commission that she is a ~~Creek~~ Creek freedwoman having been born in [illegible] ~~County~~ State of Ind. Ter. on [illegible] day of [illegible] 18[illegible]. My fathers name was [illegible] My mother's name was [illegible] That I now reside in [illegible] and have resided there for [illegible] years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proven she is entitled to be adjudged under the laws of such Nation and the laws of Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the honorable commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation

Signature Lucy Jennins

INDIAN TERRITORY,
Illegible Judicial Division. } SS

NOW on this 4 day of Sept 1896 personally appeared before me J. D. Brannan a Notary Public in and for said Territory Lucy Jennins who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 7th day of Sept 1896.

J. D. Brannan
Notary Public.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896. to hear and determine claims for Citizenship in the ~~Creek Nation:~~ Cherokee Nation: -

GENTLEMEN: The undersigned, your petitioner, Jyles Lawson

for and on behalf of himself

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Creek Indians~~ and of those entitled to share in the distribution of funds and allotments of land in ~~Creek~~ Nation, by virtue of their ~~Creek~~ Cherokee freedmen and I herewith submit the following evidence

to wit:- Exhibit #-, 1. Exhibit #-, 2. Exhibit #, -3.

and I submit that the evidence herewith submitted entitles me to the rights applied for.

in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully submitted

Witness
J B Mackey

his
Jyles X Lawson
mark

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Jyles Lawson	32	Son of James Manuel(nee Lawson who is a Cherokee freedman and is now on the rolls of the Cherokee freedmen of the Cherokee nation. (Evidence Exhibit 1)
John Lawson	15	Son of Jyles Lawson
Joe Lawson	14	son of Jyles Lawson
Hattie Lawson	12	Daughter of Jyles Lawson
Bessie Lawson	9	daughter of Jyles Lawson
Nadie Lawson	6	daughter of Jyles Lawson
Eugene Lawson	4	daughter of Jyles Lawson

In witness of which I hereunto set my hand on this 4th day of September 1896.

witness
J B Mackey

his
Jyles X Lawson
mark

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes;

YOUR Petitioner, Sylee Lawson would state and show from the proof submitted to the Commission that he is a ~~Creek~~ Cherokee Freedman having been born in Sequoyah ~~District~~ ~~County~~, ~~State of~~ Cherokee nation on ..... day of ..... 1864. My fathers name was Jordan Lawson

..... My mother's name was Manda Manuel (nee Lawson)

That I now reside in Cherokee Nation

and have resided there for 32 years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proven he is entitled to be adjudged under the laws of such Nation and the laws of Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the honorable commission such proof and on the hearing he be adjudged entitled to such citizenship and h name be placed upon the proper roll as a citizen of such Nation

Witness
J B Walker

Signature his
Sylus X Lowson
mark

The State of Texas
~~INDIAN TERRITORY~~,
County of Denton
~~Judicial Division~~ } ss

NOW on this 4th day of September 1896 personally appeared before me J B Walker a Notary Public in and for said Territory Sylus Lowson who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 4th day of September 1896.

J B Walker
Notary Public.
Denton County Texas

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the ~~Creek Nation~~ Cherokee nation.

GENTLEMEN: The undersigned, your petitioner, Mary Taylor(nee Lewson)

for and on behalf of herself

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of ~~Creek Indians~~ Cherokee and of those entitled to share in the distribution of funds and allotments of land in ~~Creek~~ Cherokee Nation, by virtue of their ~~Creek~~ Cherokee blood, and I herewith submit the following

evidence to wit: Exhibit No. 1, Exhibit No. 2, Exhibit No. 3, Exhibit No. 4.

(With affidevit attached, and I hereby affirm that this application is affirmed and sworn to by my affidevit herewith attached.)

in support of said claim, and respectfully await the time when my application shall be heard and tried.

Respectfully submitted

Mary Taylor

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Mary Taylor (nee Lewson)	38	Daughter of Vence Manuel (nee Lewson) who is a Cherokee freedman and whose name is on the rolls at Tahlequah in her mother's right
Rufus Taylor	17	Son of Mary Taylor
Wanda Taylor	16	Daughter of Mary Taylor
Prince Taylor	14	Son of Mary Taylor
Silvin Taylor	12	Son of Mary Taylor
Arthur Taylor	12	Twin son of Mary Taylor
Pearlie Taylor	10	daughter of Mary Taylor
Jennie Taylor	8	daughter of Mary Taylor

In witness of which I hereunto set my hand on this 7 day of September 1896.

Mary Taylor

To the Honorable Henry L. Dawes and Others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner, Mary Taylor (Nee Lawson) would state and show from the proof submitted to the Commission that S he is a ~~Creek~~ Cherokee by Freedman having been born in Dallas County, State of Texas on 1st day of June 1863. My fathers name was Jordon Lawson My mother's name was Manda Lawson That I now reside in Wagoner, Indian Territory and have resided there for 30 years. And S he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And S he further avers that these facts being proven S he is entitled to be adjudged under the laws of such Nation and the laws of Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore S he herewith respectfully submits to the consideration of the honorable commission such proof and on the hearing S he be adjudged entitled to such citizenship and h ∈ r name be placed upon the proper roll as a citizen of such Nation

Signature Mary Taylor

State of Texas
~~INDIAN TERRITORY~~,
County of Denton
~~Judicial Division~~. | SS

NOW on this 4th day of September 1896 personally appeared before me [redacted] a Notary Public in and for said ~~Territory~~ Denton County Tex Mary Taylor (Nee Lawson) who being duly sworn upon his oath states that the facts set forth in the fore ~~going petition~~ are correct and true. Subscribed and sworn to before me this 4th day of September 1896.

J B Walker
Notary Public.
Denton County Texas

United States of America,
Indian Territory,
Northern Judicial Dist.

Personally appeared before me, J. C. B. Lindsey, a Notary Public in the aforesaid territory and district, Samuel McHenry who states that he is 58 years old, has resided in Wagoner four years, and that he has known Mrs. Mande Manuel (nee Lawson) four years, and that he personally knows that Mary E. Taylor (nee Lawson), Lucy Julius (nee Lawson), and Jyles Lawson are the recognized children of said Mande Manuel. I further state that all of the children have lived in IT. since before 1896, Lucy, the younger having been born in I. T.

Samuel McHenry

Subscribed and sworn to before me this the 30, day of Sept. 1896.

J. C. B. Lindsey,

Notary Public.

My commission expires March 11th, ____ 1897.

United States of America,
Central District,
Northern Judicial Dist. } S.S.

I, [illegible] do hereby certify that I, J.D. Jackson, a citizen

[illegible] the Territory and District above mentioned, Ioue Jackson, a

citizen of the Cherokee Nation who has resided in said Nation all his

life and is now 20 years old, who testifies that he was born in

[illegible] twenty years and knows that [illegible]

(nee Lewis), in [illegible] (nee Lewis) and Jesse [illegible] the recog-

nized [illegible] Samuel. I, Ioue Jackson, further state

that [illegible] lived in I.T. since before 1880, that the

younger [illegible] born in [illegible]

[illegible]

Subscribed and sworn to before me this 5th day of Sept.,

1896.

[signature]

Notary Public.

United States of America
Indian Territory

Personally appeared before me
J. C. Blackburn, a notary public in
and for said District and Territory
aforesaid (the undersigned) and after being duly
sworn, states that the children,
for the Census, marriages, & relations
and Dues of families (the Census) are
her sworn children, and she
further swore upon oath she
was a bona fide resident, and she
are on the roll at Tahlequah
as a bona fide resident of the Cherokee Nation.

Witness { A. L. Gibbs
Ed Langston

I this the 3rd day of Sept. 1896 signing name
Manda Mac Manuel

Subscribed and sworn to before
me this 3rd day of Sept. 1896
J. C. B. Lindsey
Notary Public

my com. expires March 24th 1897

United States of America,
Indian Territory,
Northern Judicial Dist.

Personally appeared before me, J. H. H[illegible]
sey, a notary public in the Territory and District above mentioned,
one Lee A. Belle who states that he is 19 years old, a citizen of Le-
ander, Indian Territory where he has resided two years, and testifies
that Jules Lawson, Wm. F. Taylor (Lawson) and Ivey Junius (Lee
Lawson) are the recognized children of Mrs. Annie Manuel. ~~I further~~
~~that the above named children were born before 1885, I presume,~~
~~they being over 14 yrs.~~ Lee A. Belle.

Subscribed and sworn to before me this the 20 day of Sept., 1896.

J. B. Livesey,
Notary Public.

My commission expires March 9th 1897.

~~107~~ 5583

Joseph Lawson

v.

Colorado Natural

Filed 9/8/96

A M Jackson

Clerk

Denied

Hobbs Parker

Wagoner DJ

End

Nation's No. 1537.

Commission's No. .....

In re Application of

John P. & Mattie A. Day.

Demurrer and Answer.

FILED SEPT 25 1906
A. S. McKENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of .....

John P. & Mattie A. Day. ..... Nation's No. 1537. .....

..... Commission's No. .....

....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant s are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that .....

..... through whom the petitioner..... claim to derive..... right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

It is true that the applicants are Cherokee citizens by blood and have relations residing in the Cherokee Nation as recognized citizens thereof, but the applicants long since abandoned said Nation leaving no property or effects in the same and now residents of the State of Tennessee.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. .....Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 16 day of Feb 1906.

D. H. Ball

NOTARY PUBLIC.

Came before me this day, Jef. Parks , who being duly sworn says that he has served certified copies of all the papers in the case of John F. and Mattie A. Day, for Cherokee enrollment, on the Principal Chief of the Cherokee Nation, S.H. Mayes.

Jef Parks

Subscribed and sworn to before me this the 8" day of Sept. 1896

M. D. Reason

Notary Public.

My commission expires Jan. 3" 1900

United States of America ( )

Indian Territory ( )

Northern District ( )

The undersigned, John P. Day respctfully represents that he is the son of Samuel W. Day, who was the son of Mary Ann Day, whose maiden name was Mary Ann Parks from whom he derives his Cherokee blood and through whom he is entitled to Citizenship in the Cherokee Nation: that Samuel W. Day is now dead and that he and Mattie A. Day are the children of the said Samuel W.Day: that your petitioner is 21 years old and that his sister is 17 years old; Therefore your petitioner , for himself and his sister, Mattie, respectfully submits to this Honorable Body this application for citizenship in the Cherokee Nation as Cherokees by blood together together with the affidavits and evidence here unto annexed in the claim of Mary Ann Day ,that is herein submitted for action, which affidavits are in support of the claims of myself and sister, and ask that you shall hear and consider and pass on in accordance with all laws governing such cases , and given equal rights with other members of said Tribe and for all proper relief.

Affidavits above refered to:

William Albert Day
Mary Ann Day.
Certificates of citizenship of Ruth Price , Isaac Day Parks ,Albert or William Albert Day: Ruth Price being my Aunt ,Issac Day Parks my cousin and William Albert Day my uncles Richard T.Parks of Chelsea I.T. is my great uncle:all papers and affidavits in the claim of Mary Ann Day are hereby referred to you for your information: that he further states that it is his intention as well as that of his sister to make the Cherokee Nation his future home.

.....Jno. P. Day.....

John P. Day being first duly sworn on oath deposes and says that he and his sister, Mattie A.Day are the named persons in the forgoing application: that he has heard read the same and it is true to the best of his knowledge. Subscribed before me this the..... day of 1899

.....Jno. P. Day.

Suoscribed and sworn to before me this the 17....day of Aug.... 1899

W. D. Wasson.....

Notary Public

My Commission expires Jan 3rd 1900.

UNITED STATES OF AMERICA.

NORTHERN DISTRICT.)(
)(
INDIQN TERRITORY.)(

pERSONALLY APPEARED BEFORE ME KKKKKKKKKKKKKKKKK6

W.D. Weston a Notary Public of the Northern District Indina territory. William Albert Day,who after being duly sworn deposes and says that he isa brother of Samuel Day deceased who was the father of John P. Day whose application for Cherokee citizenship is hereunto attached and that he,William Albert Day is a citizen of the Cherokee Nation and that his name appears on the Rolls of said Nation as a citizen thereof and that he is enjoying all the privaleges of said Tribe.

And that he knows of his own personal knowledge that Mattie A. Day and John P.pay are the children of Samuel Day deceased.

And that Samuel pay is the son of Mary A. Day nee Parks who is the sister of T.J.Parks,G.W.Parks and Richard T.Parks who now lives at Chelsea I.T. and who are recognized citizens of the Cherokee Nation.

W. A. Day

Sworn to and subscribed before me this the 17th. day of August 1898

W.D. Weston

Notary Public.

My commission expires Jan. 3rd. 1900.

United States of America ( )

Indian Territory ( )

Northern District ( )

Mary Ann Day being first duly sworn on oath deposes and says that she is the ~~mother~~ mother of Samuel W.Day deceased,and that John P.Day and Mattie A.Day are the children of the said Samuel W.Day: they the said children are respectively 21 years of age , and 17 years of age, and that they are applicants for citizenship in the Cherokee Nation: that Ruth Price deceased , was their great aunt ,G.W.Parks deceased,late of Delaware District, was their great uncle, T.J. Parks deceased of Cowskin Prairie,Delaware District , was their great uncle , all of whom were citizens of the Cherokee Nation.

.....Mary Ann Day.....

Subscribed and sworn to before me this the 21 day of Oct. 1896

J. A. McGilvray
Notary Public

My Com. Exp. June 3, 1899.

3715 5554

John P Dow

Walter Dow

v

Le Flore Nation

Filed 9/8/96

H. M. Jacoway

Clerk

Rejected

Talequah, I. T.

Jeff Parks
attorney
Tahlequah
I.T.

End

5555

Appeals

Milligan Troyhill
& Ux
vs.
Cherokee Nation

Order of Appeal

1-vvs

NOTICE.

#943

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Milligan Treglin et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Milligan Treglin et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 18th day of Jan. 1897. A.D. 189 .

J. Alberton Clerk.

MILLIS KROGLIN, ET AL.,)
vs.) APPLICANT FOR CITIZENSHIP.
CHEROKEE NATION.)

A F F I D A V I T.

Personally appeared before me, the undersigned, W. W. Hastings, who being sworn states that he is acquainted with Sal Brewer, one of the witnesses for applicant; that the said Sal Brewer is a colored person who applied for enrollment before the "Freedmen Commission" in the past summer; that among other things he swore that he had continuously resided in the Cherokee Nation since 1866, and upon cross-examination, and the examination of other witnesses, it was ascertained that the said Brewer had resided without the limits of the Cherokee Nation ever since the war until some very few years ago; and that he had raised a large family, all of whom had been born outside the Cherokee Nation.

From the very contradictory statement in that case and in behalf of other claimants before the "Freedmen Commission," affiant unhesitatingly states that the witness is unreliable and that he would not believe him under oath.

Affiant further states that he is not very positive, but that he believes that he knows the other witness, D. E. Sanders, who testifies in this case, and that he believes him to be a disreputable darkey who lives in Illinois District, and is also unworthy of belief.

W. W. Hastings

Sworn and subscribed before me this 29th day of Sep. 1896.

S. L. Boyd

Notary Public.

5555 B440

Nation's No. 2276

Commission's No. .....

In re Application of

Duncan Brogden.

Wm Brogden.

Demurrer and Answer.

FILED Oct 2 1896 ☆
A. S. McKENNON

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of Wm Loughlin et al

Nation's No. 2276

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Johnny Timmons through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 26 day of Sept. 1896.

D. L. Bell

NOTARY PUBLIC.

End

5586
B440

Nation's No. 1928

Commission's No.

In re Application of

Peter N. Sapp

Demurrer and Answer.

FILED OCT 21.
H. M. JACOWAY
SEC.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of.....

.....Peter Mitchell.....

.....

.....

for citizenship in the Cherokee Nation.

Nation's No.....

Commission's No.....

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant.....is.....entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that.....

.....through whom the petitioner.....claim to derive.....his.....right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By.....Attorneys.

John T. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

.....

Subscribed and sworn to before me this, the.....15.....day of.....Oct.....1896.

.....

NOTARY PUBLIC.

No 1442 Docket 561

Russis Alexander
Cherokee Nation

Filed this eighteenth
day of Sept 1896
A. J. McKennon
Clerk

Denied

Dow-Carlson & Thurfield
Vinita
I.T.

Russell
Cherokee Nation

Filed this 18th day of Sept. 1896
A. J. McKennon
Clerk

Denied

I, A. R. Breker, do solemnly swear that on the 4. day of September 1896, I sent a package registered at the Post office at Vinita, I. T. addressed to S.F. Hayes, Chief of the Cherokee Nation, Tahlequah, I. T. that registry receipt No. 578.....hereto attached, is a receipt for said package which contained true copies of the application of .....
...Russia M. Lipe.....
and of the affidavits of .....Russia M. Lipe.....
.....
.....
.....
.....
.....
.....

in support of the same.

A. R. Breker.....

Sworn to and subscribed before me this the ..4..... day of September A. D. 1896.

W. J. Mansfield.....
Notary Public, W...
Septem...

REGISTRY RECEIPT.

Post Office at VINITA, SEP 5 1896 Cherokee Nation, I.T. 4th

Registered No. 578 Book ..... 189 .

of A. R. Breker

addressed to S. F. Hayes

Chief Cherokee N.

Tahlequah I.T.

X 1495.

Russia m Lipp

v

Cherokee Nation

Filed 7 Sept 1876
K. M. Jacoway
Clk

Catawba

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Russia M Lipps, undersigned, respectfully states that She is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That She derives her said Indian blood from George W. Lipps, her Father, who was a son of Frances Lipe, ~~Indian by blood~~ and She a daughter of Rachael Rollins, who was a daughter of Henry Chambers a Cherokee Indian by blood Whose name appears as a Member of Cherokee Tribe of Indians on Census Rolls taken east of the Mississippi river in the years 1835–1848–1851–1852

Your petitioner states the above facts as the lawful grounds of her application for citizenship in the Cherokee Nation, and prays that her claim may be fully investigated by your Honorable Commission and that She be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 30 years. My Post Office address is Batania Ark

~~My~~ family consists of the following-named persons: ~~My~~ ..... and children, as follows:

....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.
....., aged ..... years.

WITNESS my hand this 4" day of Sept- 1896.

Russia M. Lipps x

Attest
L H Boyd
Wm Coleman

} ss.

Personally appeared before me, the undersigned authority, Russia M Lipps to me known to be the petitioner in the above petition, who being by me first duly sworn, upon her oath says that She is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as She verily believes.

Russia M. Lipps x

Subscribed and sworn to before me at Carrollton Ark this 4" day of Sept-, A.D. 1896.

R T Swor N P
My Com Ex Sept-20-1898

End

5557

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5557 Blue

Nation's No. 3130.

Commission's No. .....

In re Application of

Nannie White, et al.

Demurrer and Answer.

FILED SEPT. 8 1896.
A. S. McKENNON
COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Nannie White, et al.
for citizenship in the Cherokee Nation.

Nation's No. 3130.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Moses Belcher, through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair.

Subscribed and sworn to before me this, the 26 day of Feb 1896.

D. J. Bell
NOTARY PUBLIC.

REGISTRY RECEIPT.

Post Office at South McAlester, Ind. Ter.

Registered Letter / Parcel No. 750 Rec'd Sept 7 1896

of M M Lindley

addressed to Jane Mayes
Talihina I.T. 21

M A Potter P. M.

UNITED STATES OF AMERICA,
Indian Territory,
Central **District**

I. M. M. Lundy being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of W. A. Pettit postmaster, at Ft. McAlester Indian Territory to Dawes Sam. Mayes Principal Chief Nation, a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission, to citizenship in the said Cherokee Nation of End. Ter.

Nannie White applicant

- Petition

Affidavits of
W. M. Shipley x
W. A. Allen

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto attached, to be used in support of said petitions.

Ft McLaughlin

I. M. M. Lundy
Attorney for Petitioner

Subscribed and sworn to before me this 7 day of Sept, 1896

T. B. Foster
NOTARY PUBLIC.

AFFIDAVIT.

State of Texas
Lamar Co
} SS.

BE IT REMEMBERED, That on this 13 day of August 1896 personally appeared before me W. M. Shipley, who is a reliable and creditable citizen of Paris Dist Lamar Co, District, Nation, Indian Territory, and after being by me duly sworn, according to law, deposeth and says that he is a resident of Paris Dist Lamar Co. Nation, Indian Territory, that his age is 64 years and his occupation that of a farmer that he was well and personally acquainted with Nannie White in the County of Lamar Nation, State of Texas and that the said Nannie White was a Cherokee Indian by blood. & so recognized by Cherokee to the best of my knowledge

Affiant makes this his sworn statement, from his own personal knowledge and acquaintance with the aforesaid Nannie White family of Moses Beloter, and affiant further states that he is not directly or indirectly interested in the prosecution of the claim for the heirs of said Moses Beloter, deceased, for citizenship in the Cherokee Nation, Indian Territory.

SWORN AND SUBSCRIBED TO BEFORE ME } W. M. Shipley

LS

Hugh L. Evans
Notary Public.
Lamar Co. Texas.

AFFIDAVIT.

State of Texas
Lamar County
} SS.

BE IT REMEMBERED, That on this 13 day of August 1896 personally appeared before me N. J. Allen, who is a reliable and creditable citizen of Lamar County, District, State of Texas Nation, Indian Territory, and after being by me duly sworn, according to law, deposeth and says that he is a resident of Paris Dist Lamar Co. Texas Nation, Indian Territory, that his age is 55 years and his occupation that of a farmer that he was well and personally acquainted with Nannie White in the State of Texas Lamar Co Nation, State of Texas and that the said Nannie White was a Cherokee Indian by blood. & so recognized by Cherokee to the best of my knowledge

Affiant makes this his sworn statement, from his own personal knowledge and acquaintance with the aforesaid Nannie White family of Moses B. Beloter, and affiant further states that he is not directly or indirectly interested in the prosecution of the claim for the heirs of said Moses B. Beloter, deceased, for citizenship in the Cherokee Nation, Indian Territory.

SWORN AND SUBSCRIBED TO BEFORE ME } N. J. Allen

LS

Hugh L. Evans
Notary Public
Lamar Co. Texas.

AFFIDAVIT OF WITNESS.

In the matter of petition and memorial of Mrs. Nancy White

for admission to citizenship in the Cherokee Nation.

State of Texas }
County of Lamar } ss

Before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Landy Turnbull who, after being by me duly sworn, states: That he is 70 years of age, and a resident of the State of Texas and County of Lamar and his post office address is Paris Texas; that he is personally acquainted with Mrs Nancy White who is an applicant for Citizenship in the Cherokee Nation. Affiant further states:

(Here set out all that witness knows about claimant's family and ancestors of Indian blood.)

that he was personally acquainted with Moses Bellew, who was the father of Mrs Nancy White I knew them well for 50 years – as I was a Clare of John Turnbull and used to know all these people in my young days.

Affiant further states: That he has known the said Nancy White for the past 10 years, and knows that she has been and is recognized by her neighbors, acquaintances and the public generally as having Cherokee Indian blood, and that the complexion and physical appearance of the said Nancy White indicate that she is of Cherokee Indian blood and descent. Affiant further says, that from the above facts and circumstances, and from what he has heard and knows of the family of the said Nancy White he believes the said Nancy White to be a descendent by blood of the Cherokee Indian tribe, and a lineal descendent of the said Moses Bellew

Landy T. Turnbull

Subscribed and sworn to before me this 2 day of Sept 1896

Hugh L Kinney
NOTARY PUBLIC.

My Commission expires Aug 31 98

No 5559

APPLICATION OF

Nannie White Et. Al.

—FOR—

Enrollment in Cherokee Nation

Filed on the ..... day of ..... 189..

Sec. U. S. Com. Five Civ. Tribes.

W Mansfield

Attorney for Petitioner.

CAPITAL PRINT. South McAlester, I. T.

Filed Sept. 10th 1896.
A. J. McKennon
Com

Rejected

Application For Enrollment.

Before the United States Commission to the Five Civilized Tribes of Indians:

Nannie White Et. Al., PETITIONER,

VS.

Cherokee Nation, Indian Territory. RESPONDENT.

} APPLICATION FOR ADMITTANCE AND ENROLLMENT.

TO THE ABOVE MENTIONED HONORABLE COMMISSION:

Your petitioner Nannie White states that She is a Cherokee was a Daughter of Moses Belcher Indian by blood, who was duly recognized by the proper authorities as such in the State of Tennessee and enjoyed all the rights, privileges benefits and annuities of other Cherokee Indians by blood in the said Cherokee Nation or Tribe of Indians, and that the name of the said Moses Belcher appears, or should appear upon the authenticated rolls of the said Cherokee Indians for the year 1833

That petitioner is a lineal descendant of the said Moses Belcher to-wit. Daughter of Moses Belcher

That under the constitution, laws, usages and customs of the said Cherokee Nation or Tribe of Indians, and the laws of the United States, and treaties with said Indians, your said petitioner is entitled to be admitted and enrolled as a citizen and member of said Cherokee Tribe of Indians in Indian Territory and entitled to all the rights, benefits, privileges and annuities of other Cherokee Indians by blood.

That there are now living legal descendants of your said petitioner 4 persons, as follows, to-wit:

My Husband. F. M. White, a Male, and 59 years of age
Frankie, a female, and 24 years of age
Leslie, a male, and 2 years of age
, a , and years of age
, a , and years of age
, a , and years of age
, a , and years of age
, a , and years of age
, a , and years of age
, a , and years of age

Wherefore, the premises considered, your petitioner prays that her name, with those of

of Her said descendants to-wit: Franky. Leslie & Lee
Husband. H. N. White

and Her minor be enrolled and admitted to all the rights, benefits, privileges and immunities of other Cherokee Indians, in and to the Cherokee Nation or Tribe of Indians, in Indian Territory, and your petitioners will ever pray.

ATTORNEYS FOR PETITIONERS.

The aforenamed petitioner, Nannie White says that the statements set forth in the above and foregoing petition are true according to his best knowledge, information and belief.

Nannie White.
Petitioner.

Subscribed and sworn to before me, this 13 day of August 1896.

Hugh L. Ewing
Notary Public.
Lamar Co. Texas

End

A15558

Orrelia B Cole Et al

vs.

Cherokee Nation

Order of Appeal

NOTICE.

#216

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of ..... Preslie B. Cole et als ..... to be enrolled as citizens of the ..... Cherokee ..... Nation.

TO THE ..... Commission to the five civilized tribes: .....

You are hereby notified that an appeal has been taken in the matter of the application of

..... Preslie B. Cole et al .....

to be enrolled as citizens of the ..... Cherokee ..... Nation, from said

..... Commission .....

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the ..... 16 ..... day of

..... Jan'y ..... A.D. 189 7.

..... J. A. Winston ..... Clerk.

End

5559

APPLICATION FOR CITIZENSHIP.

To the Honorable National Council of the Cherokee Nation, Ind. Ter:

GENTLEMEN:—The undersigned, your petitioner, this day makes this ~~_____~~

his Application for Citizenship in the Cherokee Nation in the Indian Territory, in accordance with the Constitution and Laws of said Nation, and respectfully makes the following statement of the ground of This his Application, to wit:

That he is The son of Daniel ~~the~~ Bazell Sr. and grand son of Elizabeth Bazell

~~of one~~ _____ who the undersigned fully believes was an Indian belonging to said tribe.

The undersigned hereby presents the above facts as the lawful grounds for this his Application for Cherokee Citizenship by blood, and respectfully asks you Honorable Councilors that he be admitted to all the rights of Cherokee citizens in the Cherokee Nation in lands and funds. And he respectfully waits the time when his Application shall be truly heard and tried. Respectfully submitted.

Age _____ years; Postoffice Harriman Tenn

Family, with their relationship attached, is as follows:

No.	Name.	Sex.	Age.	Relationship.
1	Thomas Bazell	male	36	Applicant
2	Mary Bazell	female	34	Wife of applicant
3	Alexander Bazell	male	10	Son of "
4	Vandlea Bazell	female	6	Daughter of Applicant
5	Frederick Bazell	male	3	Son of Applicant
6	Bosie Bazell	male	2	Son of Applicant,

In witness of which Application, I hereunto set my hand on this the 18th day of August 1894

Thomas his ✕ mark Bazell.

Subscribed and sworn to before me this 18th day of August A. D., 1894

Isham Benefield.

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLEARED

AFFIDAVIT OF WITNESS.

State of Tennessee }
County of Roane }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared John Bullard who after being by me ____ duly sworn, states that he is 55 years of age, and is a citizen of Roane County and State of Tennessee and that he is personally acquainted with Thomas Bazell who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person he represents himself to be in his applicaton for citizenship in said Nation, and that the said Thomas Bazell is the son of Daniel Bazell sr. and grand son of Elizabeth Bazell whom he knew for many years before her death and he knows that the above named Elizabeth Bazell was known recognized and acknowledged to be of Cherokee Indian blood and descent by all of her friends, neighbors and acquaintance and the public generally and was known as a Cherokee Indian of full

Affiant further states that he has known the said Thomas Bazell for the past 35 years, and knows that he is and has beeen recognized and treated by his neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the complextion and physical appearance of the said Thomas Bazell is of Indian blood. That from the above facts and circumstances, and from statements made to him by the said Thomas Bazell affiant states he has every reason to believe, and does believe, that the said Thomas Bazell is of Cherokee Indian blood.

Affiant further states he has has no interest whatever in the prosecution of the claim of the said Thomas Bazell to citizenship in the Cherokee Nation, I. T.

John his mark Bullard

Subscribed and sworn to before me this 29th day of August A. D., 1896, and I further certify that I am well acquainted with the said Affiant and know him to be a person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12 day of January 1899

AFFIDAVIT OF WITNESS.

State of [illegible] }
County of [illegible] }

BEFORE ME, the undersigned, a Notary Public, in and for the county and state aforesaid, personally appeared [illegible] who after being by me [illegible] duly sworn, states that she is 76 years of age, and is a citizen of [illegible] County and State of [illegible] and that she is personally acquainted with [illegible]

who is an applicant for citizenship in the Cherokee Nation, I. T., and affiant further states that the said applicant is the identical person she represents herself to be in her applicaton for citizenship in said Nation, and that the said Thomas Bazell is the son of [illegible] and grandson of [illegible] who will shown has died and is her self remarked [illegible] was 30 years of age at the time and the name of Elizabeth Scott was recognized and acknowledged by said tribe and people as full blood and descendant of [illegible] and Elizabeth Scott was recognized as Bazell

I have known him from his birth to the present time. I was more than 20 years old when my mother died, and near forty when my father died. I well remember when the treaty was made between the government and the Indians, and when the soldiers gathered up the Cherokees and took them west of the Mississippi river. There were no other Indians at that time in Tennessee but the Cherokees. The Creek Indians had been moved south some time before this. my mother was a full blood Cherokee, my father was a mixed blood Cherokee. My mothers maiden name was Elizabeth Scott. And the soldiers took my two uncles Alford and John Scott and my three aunts Sally Scott and my two aunts Polly Wetsel and Ginna Fowler all of which were my mothers brothers and sisters and great uncles and aunts of Thomas Bazell And their descendants our cousins are in the Indian Territory with you. Word comes to us that our names and that of our parents are not on the Cherokee Indian rolls, if they are not

FRAME 1

~~stand son of Elizabeth Bazell with whom she~~
~~was married and is the remarkable circumstance~~
~~was 30 years of age at his birth and the name of~~
~~Elizabeth Bazell was recognized and acknowledged~~
~~to be of Cherokee Indian blood and descent, by all~~
~~of her friends, neighbors and acquaintance and~~
~~was known as a Cherokee Indian of full blood.~~
~~This testimony says I am the eldest child of Elizabeth~~
~~and Samuel Bazell and am now of the age of~~

I have known him from his birth to the present time. I was more than 30 years old when my mother died, and near forty when my father died. I well remember when the treaty was made between the government and the Indians, and when the soldiers gathered up the Cherokees and took them west of the Mississippi river. There were no other Indians at that time in Tennessee but the Cherokees. The Creek Indians had been moved south some time before this. my mother was a full blood Cherokee, my father was a mixed blood Cherokee. My mothers maiden name was Elizabeth Scott. And the soldiers took my two uncles Alford and John Scott and my three aunts Sally Scott and my two married aunts Polly Waterlizard and Emma Fairhead all of which were my mothers brothers and sisters and great uncles and aunts of Thomas Bazell. And their descendants our cousins are in the Indian Territory with you. Word comes to us that our names and that of our parents are not on the Cherokee Indian rolls, if they are not they ought to be, as we are Cherokees, and neither our parents or their children have ever received one dollar of Cherokee Indian family money, or one dollar of money for their share of the Tennessee land nor any of their grand children. Just why our father Samuel Bazell and his family were left behind I do not know, but they were left behind and their children and grand children are living in the same place that they were living when the soldiers took our friends and relations away. And we have always been known and recognized as Cherokee Indians My brother Daniel Bazell sens place is known and called Bazell town and the settlement is still [illegible] tribe

FRAME 2

3428

559

Thomas Bazell

vs

Cherokee Nation

FILED SEPT. 8. 1896.

A. S. McKENNON

COM'R.

Denied

Harriman Penn

APPLICATION FOR [illegible]

Affiant further states that She has known the said Thomas Bazell
for the past 35 years, and knows that he is and has beeen recognized and treated by his
neighbors, acquaintances and the public generally as a person having Cherokee Indian blood and that the com-
plextion and physical appearance of the said Thomas Bazell is of Indian blood. That from
the above facts and circumstances, and from statements made to her by the said Thomas Bazell
affiant states she has every reason to believe, and does believe, that the said Thomas Bazell
is of Cherokee Indian blood.

Affiant further states that she has no interest whatever in the prosecution of the claim of
the said Thomas Bazell to citizenship in the Cherokee Nation, I. T.

her
Nancy Mark Lumner
mark

Subscribed and sworn to before me this 14th day of August A. D., 1896, and I further
certify that I am well acquainted with the said Nancy Lumner and know her to be a
person of credibility and of truth and veracity.

Isham Benefiel Notary Public.

My Commission expires on the 12th day of January 1898

End

5560

Application For Cherokee Freedman Citizenship.

To The Honorable Dawes Commission.

The undersigned Jack Vann your petitioner, makes this his application for readmition to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Freedman in accordance with the treaty of 1866 between the Cherokee Nation and the United States, and respectfully submits the following statement of facts for the grounds of his claim, to wit:

That he is the son of one Bob Vann and the son of one Rachel Vann who your petitioner verily believes were Cherokee Freedman. That your petitioner was the slave of one Joe Vann, who your petitioner firmly believes was a Cherokee Indian by blood and duly acknowledged member

of the Cherokee tribe of Indians; and from whom derived Cherokee Indian blood entitling him to Cherokee ~~Indian~~ Citizenship in the Cherokee Nation

Ind. Ter.

That my family consists of the following named.

That your petitioner was in Cherokee nation in 1880 and at the time of Dawes' enrollment.

Name	Sex	Age	Relationship
Anta Vann	Female	16	Daughter
Jack "	Male	12	Son
Robert "	"	8	Son
Ethwood "	"	7	"
Alena "	Female	5	Daughter.
Jessie "	"	2	"

That the age of your petitioner is 50 years old; that his Post Office address is Lenapah Ind. Ter.

his
Jack X Vann.
mark

Geo Fitzpatrick
Witness

Subscribed and sworn
to before me at
Coffeyville Kans this
Fifth day of Sept.
A. D. 1896

J. H. Gilgus
Notary Public

My Commission expires Sept 25th 1899

United States of America } S.S.
Ind Ter

To The Honorable Dawes
Commission, sitting at Vinita,
Cherokee Nation Indian Territory,
In the case of Jack Vann claimant
for citizenship in the Cherokee
Nation Indian Territory, as a
Cherokee Freedman; Before the
Dawes Commission, sitting at
Vinita, Coowescoowee District
Cherokee Nation Indian Territory.
Personally came before me,
a Notary Public of Coffeyville
Montgomery County Stall of Kans.
duly authorized to administer
oaths Minnie Melton personally
well known to me to be
reputable and entitled to
credit, being by me first duly
sworn according to law
deposes and says:

First that I am a
Cherokee Freedman and an
acknowledged bonafide
citizen of The Cherokee Nation.
that my residence is in Coowescoowee
District, in the Ross settlement

near Snow Creek in the
Cherokee Nation.
That my Post Office address
is Leonpah Cherokee Nation
Ind. Ter. That my age is
55 years old, that I am
a ~~Woman~~ housekeeper by
occupation, that I am a
sister to said Jack Vann.
And affiant declares in
relation to the above named
cause as follows, to wit:
I am well acquainted with
the claimant Jack Vann, and
have been ever since this
infantcy down to the
present time; he is my
own brother by blood, he
was the slave of one Joe Vann
who was a Cherokee
by blood. said claimant
was in this country in
863 and 1866. And affiant
further states that she
has no interest in the
termination of this case, nor
is she concerned in its
prosecution.

Witness to Mark — Mintie Her X Mark Milton

George Fitzpatrick

Bellyono

Subscribed and sworn to
before me this 9th day of
September A. D. 1896.

T. C. Harbourt
Notary Public

Com Exps Sept 1st 1899

~~78~~ 5560

Jack Vann
vs

Cherokee Nation

FILED SEPT. 9 1896.
A. S. McKENNON
COM'R.

Negro-Case

Rejected

Tahlequah
Kans.

United States of America } S. S.
Indian Territory

To The Honorable Dawes
Commissions, sitting at Vinita,
Cherokee Nation Indian Territory,

In the case of Jack Vann
claimant for citizenship in the
Cherokee Nation Indian Territory
as a Cherokee Freedman, before
the Dawes Commission sitting
at Vinita Commissioner District
Cherokee Nation Indian Territory.
Personally came before me a
Notary public of Coffeyville
Montgomery County State of Kansas
duly authorized to administer
oaths. Jack N. Lairmore personally
well known to me to be reputable
and entitle to credit being by me
first duly sworn according to law
deposes and says:

That I am a Cherokee
Freedman, and an acknowledged
~~Confessed~~ citizen of the Cherokee
Nation, that my residence is in
Coowescoowee District in the
Ross settlement near Lees Creek
in the Cherokee Nation;

That my post office address is Lenapah, Cherokee Nation Indian Territory, that my age is 42 years old, that I am a farmer by occupation. And affiant declares in relation to the above named cause as follows: To wit.

I am well acquainted with the claimant Jack Vann and have been ever since and before the war, he was a slave owned by Jo Vann, a Cherokee Indian by blood, he was in the Cherokee Nation in 1863 at which time the treaty was made by and between the Cherokee Indians and the United States Government, he has always had the Cherokee Nation Indian territory his permanent home, and I further state that I have no interest in the termination of this case nor am I concerned in its prosecution.

Nick McLemore

Subscribed and Sworn to before
me this 8th day of September
A. D. 1896

Thos Gibson
Notary Public
My commission expires Sept 25th 1899

End

5561

To the Hon Dawes Commission
On Citizenship in
the five Civilized tribes in the Indian Territory
Your Petitioner respectfully States that She
is a Cherokee Indian by blood and
ask to be enrolled as a member of the
Cherokee Nation of Indians in the Indian
Territory. That She derives her said Indian
blood from Andrew Morton who was
a Cherokee by blood - and who was an
uncle to
~~Henry~~ Morton and a great uncle of
William Morton. Andrew Morton is my great grand (Father)
Your ~~above~~ petitioner states the above facts
as her lawful grounds for application for
Citizenship in the Cherokee Nation. and
prays that her claim may be fully
investigated by your Hon Commission.
and that She be adjudged ~~a~~ as a Citizen
Nation of Indians. and entitled to all
the rights and privileges pertaining to
such Citizenship in accordance with
the laws & treaties with said Nation
of Indians.
I married to Dr J. S. Allison in the
year 1896. My age is 21 years
P.O. address is Evansville Ark Co.
Annie Allison.

State of Arkansas }
County of Washington } ss

On this day Came before me the undersigned a Notary Public within and for the County afore said duly Commissioned and acting Annie Allison to me well Known as the person whose name appears in the above named petition

Subscribed and Sworn to before me on the 10 day of August 1896

Francis M. Stewart
Notary Public

my Commission
Expires Jan 8— 1900

Affidavit
J. S. Allison

State of Arkansas County of Crawford
On this 31st day of
July 1896.
J. S. Allison personally
appeared before me a Notary
Public within & for the County & State
aforesaid. His P.O. address is
Evansville Ark. After being duly
sworn according to law deposes
& says- I married Annie Williams
in this present June 1896: & She told
me before and after our marriage
that She was a Cherokee by blood:
& I have been told by others that
She was a Cherokee by blood.
My age is 28 years P.O. address is
Evansville Ark.

Subscribed & sworn to
before me this 31st day of July 1896

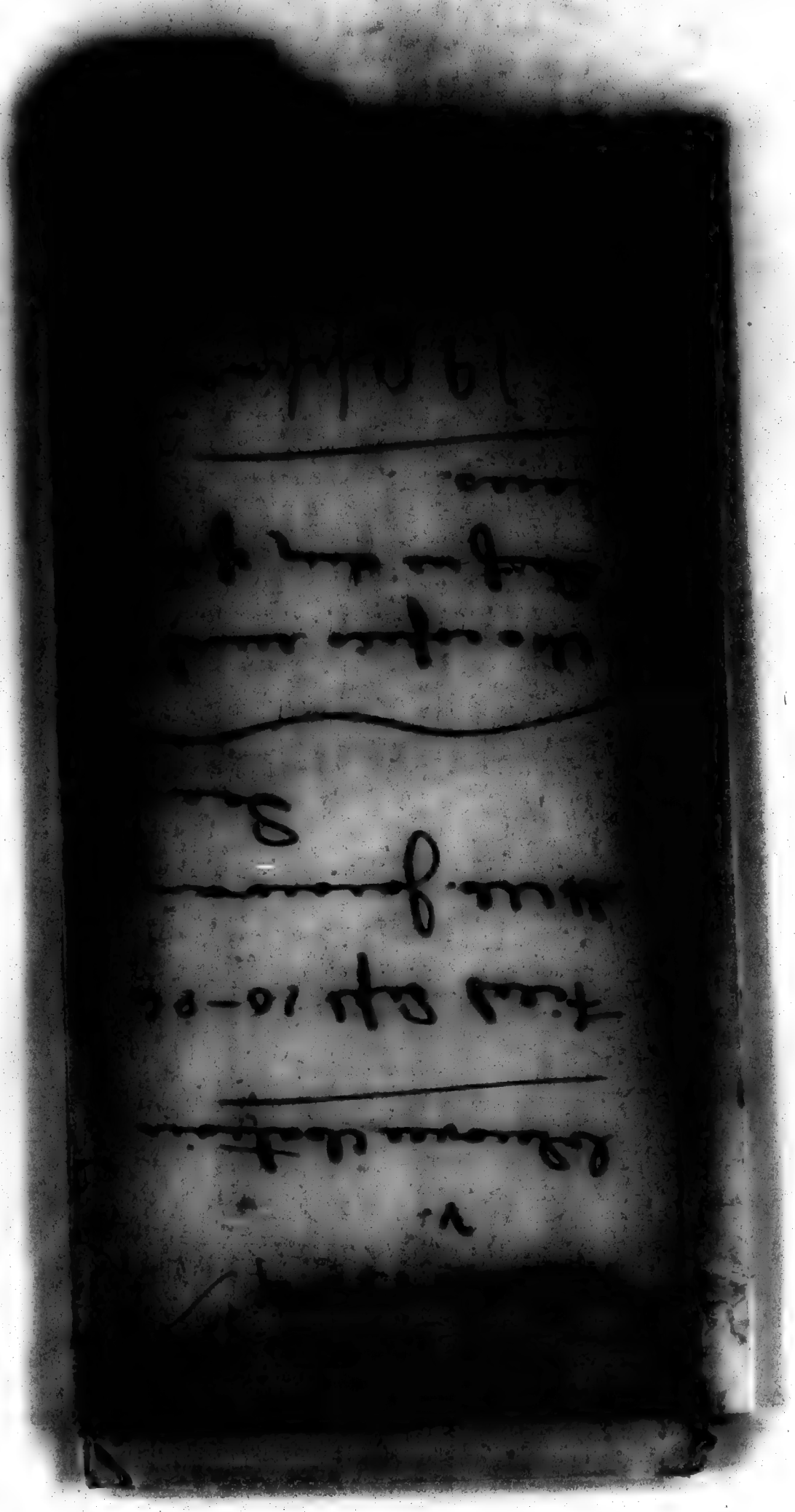
J. S. Allison

State of Ark
County of Crawford } Subscribed & sworn to before me this
the 31 day of July 1896

J. L. Wood notary Public
commission expires Feb 20/97

End

5562



Harrison C. Shepard. MEMBERS ATTORNEYS' NATIONAL CLEARING HOUSE COMMERCIAL LAW LEAGUE OF AMERICA. James P. Grove.

Grove & Shepard.

Attorneys and Counsellors at Law.
First National Bank Building.
Muscogee, Indian Territory.

South McAlester, I.T. Office; Sept. 10 1896.

Hon. Dawes Commission; we enclose and send by Ex. herewith a lot of Applications for citizenship which came to our hands to day by mail from the Huskeys, Whaleys and others. We have not had time to make copies and proper service under your rules; but ask that the same be filed, and that we we be permitted hereafter to make copies and serve on the Chief of Cherokee Nation. These people are not evidently acquainted with the rules you promulgated and thought that all that be required of them is to file their applications and proof. We will thank you to fix some day within which we may make copies and serve the Nation.

Yours Truly,

Grove & Shepard, and Capt. Jack Ellis.

5562

Harrison C. Shepard. James A. Grove.

MEMBERS ATTORNEYS' NATIONAL CLEARING HOUSE
COMMERCIAL LAW LEAGUE OF AMERICA

Grove & Shepard,

Attorneys and Counsellors at Law.
First National Bank Building.
Muscogee, Indian Territory.

South McAlester, I.T. Office; Sept. 10 1896.

Hon. Dawes Commission; we enclose and send by Ex. herewith a lot of Applications for citizenship which came to our hands to day by mail from the Huskeys, Whaleys and others. We have not had time to make copies and proper service under your rules; but ask that the same be filed, and that we we be permitted hereafter to make copies and serve on the Chief of Cherokee Nation. These people are not evidently acquainted with the rules you promulgated and thought that all that be required of them is to file their applications and proof. We will thank you to fix some day within which we may make copies and serve the Nation.

Yours Truly,

Grove & Shepard, and Capt. Jack Ellis.

State of North Carolina County of Swain: Personaly abpeard before me an acting Justice of the peace J. L. Wakey I am well aquainted with Thom J Husky and that he is the identical man that is makeing application and that he is son of William Husky and agran Son of Isac Husky who was one quarter Indian. after S the same evidence in other applicion

Subscribed and sworn to before me This 3 day of Sept. 1906

J. L. Wakey

C. W. Parker J.P.

7171

Thomas J Buckley
et al
Cherokee Nation

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Brooks & Shepherd
Muscogee

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Thomas J. Huskey

and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of North Carolina, and that my father's name is Wilson Huskey and is on the roll~~s~~ here in Monroe. And that my wife and is a daughter of Andrew Lawson and wife And that ~~she is the daughter of one~~ his wife is Thomas who is ~~living with~~ Sallie Ogle. Sallie was a daughter of Jack Ogle and a Granddaughter of Jack Ogle and Hannah Hyde and a full blood Eastern Indian by birth

~~and Cherokee Indians by blood and members of the Cherokee Indians in this State~~ and that I have the following children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Thomas J Huskey	age	52	his	father
Edmund J Huskey	"	35	"	mother
Andy N "	"	16	"	Son
Dellum "	"	24	"	Son
Floyd "	"	12	"	daughter
Cornelius "	"	7	"	Son
Mary E "	"	4	"	Daughter

These two full blood Cherokee Indians are from the Cherokee emigrations

My Post Office Address is Ocena Liberty N. C.

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Thomas J Huskey his X mark

Affidavit.

State of North Carolina } On this 3 day of September 1899
County of Lincoln } personally appeared before me Thomas J. Huskey

that I have had the application read and understand it and to the best of my knowledge is true. Thomas J Huskey his mark

Subscribed and sworn to before me this 3 day of Sept 1899

C. W. Parker J. P.

State of Tennessee }
Sevier county } S

Personally appeared before me
J. P. Price a Notary Public for Sevier
County Tenn J. M. Huskey
aged 69 years whose Post office
is Gatlinburgh Tenn. who being
by me duly Sworn declars as follows
In the matter of application for
citizenship in the Cherokee Nation of
Indians. I am the son of
Wm Huskey and grand son of
Isaac Huskey sr. My Parents
claimed to be Indian. I remember
that after the Indians were taken off
that my father said we was con-
nection of the Indians they claimed
kin with the Cherokee Indians
during the Late war Thomas the
Agent for the Cherokee Indians
told them that we was their con-
nection and neighbor and when
they caught me and found out
my name was Huskey they turned
me loose J M Huskey
Sworn to and subscribed before me J P Price
Notary Public

State of Tennessee } ss.
Sevier County

In the matter of application for citizenship in the Cherokee Nation of Indians Personally came before me J.P. Price a Notary public for Sevier County Tenn Aaron Whaley aged 77 years whose post office is Boyd Tenn who being by me duly sworn in relation thereto declares as follows: my grand mother was Patsy Ogle she was a sister to Isaac Huskey sr I have heard my mother frequntly say that Isaac Huskey sr was quater Cherokee Indian if no more. I have known Isaac Huskey nearly ever since I Knew any man and his every look showed the Cherokee Indian plain

his
Aaron X Whaley
mark

Subscribed and sworn to before me on the 31 day of August 1896

J. P. Price Notary Public

State of Tennessee) affidavit
County of Emery)

Personally appeared before me J O Price Notary Public for Said County & State F L Ernest age 71 years old a resident of Emerts Cave Sevier County Tennessee In the Matter of application for citizenship in the Cherokee Nation of Indians Who being duly Sworn States as follows I Was Acquainted With Isaac Hurley Sr some fifty as fifty five years ago I had a Coversation With him about his Blood his Statement Were that he Was one fourth Cherokee Indian Blood I have frequantly Coversed With some of his sons Elbert & Wm Hurley and Perhaps others they admitted that the Statement mad by their father Was correct I also hee Wm Wheley Sr about Thirty or forty years ago he stated that his Wifs mother Was one fourth Cherokee Indian Blood Isaac Sr also Stated to me that his Grand Parents Were Mills I have Been acquainted With the Hurley & Wheley for about Sixty years they Do not Carry the Indian Blood and my Judgement is that from their appearance they are of the Indian Race of People or have Indian Blood in them

Fred L. Ernest

Sworn to and Subscribed before me
J P Price Notary Public

Copied
Jacob N. Huskey
& family

State of Tennessee }
Sevier County } Personally appeared
before me J. P. Price a Notary public for
Sevier County Tenn. Hasklass Whaley
aged 61 years whose post Office is
Gatlinburgh Tenn. and J. M. Huskey
aged 69. years whose post office is Trentville
Tenn. who being by me duly sworn
declares that they are well acquainted
with Jacob W. Huskey who is applying
for Citizenship in the Cherokee
nation of Indians that he is
a son of Noah Huskey a
grand son of William Huskey
and a great grand son of Isaac
Huskey sr. who was a Quarter
Cherokee Indian by blood

H Whaley
J M his ✕ mark Huskey

Subscribed and sworn to before me
on this 1 day of Sept 1896 and I certify
that the foregoing was read and fully
explained to affiant and that
they are credible

J P Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLEED

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Jacob W. Huskey and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Noah Huskey and is on the roll of 1886 if not dead in the Emigration and that my wife Mary C. Huskey And that she is the daughter of one Bradford Whaley who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Two children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Jacob W. Huskey Ogiel 32 years
Mary C. Huskey " " 32 " "
Robert L. Huskey Son 1
Mandy E. Huskey Daughter 1 month

My Post Office Address is Brier Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Jacob W. Huskey

attst J. B. Lindsey
John W. Mosley

Affidavit.

State of Tennessee } On this 1 day of Sept 1896
County of Sevier } personally appeared before me J. D. Price Notary
Public within said county and State Jacob W. Huskey a resident of
Brier Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Jacob W. Huskey and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Jacob W. Huskey

Subscribed and sworn to before me this 1 day of Sept 1896
J. D. Price Notary Public

No 714

Appl. 8

John W Huskey
et family

Cherokee Nation

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Geo. T. Shepard
Indian Agent

State of Tennessee }
Sevier County } Personally came
before me J. P. Price an acting Notary
Public for Sevier County Tennessee
Hoklars Whaley aged 61 years whose
post office is gatlinburgh Tenn and
J. M Huskey aged 69 years whose
post office is Trentville Tenn
who being ; by me duly sworn
declares as follows that they are
well acquainted with John W. Huskey
that he is the identical person
applying for citizenship in the
Cherokee Nation of Indians
that he is a son of Noah Huskey
a grand son of William Huskey
and a great grand son of
Isaac Huskey sr who was a Full
Cherokee Indian

H Whaley
J M Huskey

Subscribed and sworn to before me
on this 1 day of Sept 1896 and I certify
that the forgoing was read and fully
explained to affiants and that they are
credible

J. P Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT FILMED

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner John W. Huskey and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Noah Huskey and is on the roll of 1835 if Not last in the Emigration and that my wife Jemima Huskey And that she is the daughter of one Preston Whaley who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Two children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

John W. Huskey age 29 years
Jemima Huskey " 23 "
Jada A. Huskey Daughter 3 " "
David O Huskey Son 10 months

My Post Office Address is Brier Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) John W. Huskey

Affidavit.

State of Tennessee
County of Sevier

On this 1 day of Sept 1896 personally appeared before me J. D. Price Notary within said county and State John W. Huskey a resident of Brier Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of John W. Huskey and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. John W. Huskey

Subscribed and sworn to before me this 1 day of Sept 1896

J. D. Price Notary Public

State of Tennessee }
Sevier county }

Personally appeared
before me a notary public for Sevier
county Tennessee Harklas Mhaly
aged 61 years whose post office
is Gatlinburg Tenn. and J. M. Husky
aged 69 years whose post office
is Trentville Tenn who being by
duly sworn declares that they
are well acquainted with
Stephen Huskey that he is the identical
person applying for citizenship in
the Cherokee Nation of Indians
that he is the son of Stephen
Huskey sr and a grand son of
Isaac Huskey sr who was a
Cherokee
Eastern Indian

H Mhaly
his
J. M. Huskey
mark

subscribed and sworn to before me on
this 1 day of Sept 1896 and I certify that
the forgoing was read and fully explained
to affiants before they were sworn to same
and that they are well known to me
and that they are entitled to full faith
and credit on oath J. P. Price Notary Public

7159

Stephen Huntley

vs.

Florence Watson

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Geo. Hazard
Solicitor

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner, Stephen Huskey, and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of Tenn, and that my father's name is Stephen Huskey and is on the roll of 1835 if not at last on the Emigration And that my wife Susan Huskey And that she is the daughter of one Thomas Ogle who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Seven children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Stephen Huskey aged 43 years
Susan Huskey " 38 "
Victus Huskey son 17 " "
Louis Huskey " 13 " "
Rode Huskey daughter 11 " "
Emma Huskey " 8 " Henry Huskey son aged 8 yrs
Charley Huskey son 1 " Thomas Huskey " 1

My Post Office Address is Gatlinburg Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) Stephen Huskey

Affidavit.

State of Tennessee } On this 1 day of Sept 1896
County of Sevier } personally appeared before me J. P. Price Notary
Public within said county and State Stephen Huskey a resident of
Gatlinburg who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Stephen Huskey and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 1 day of Sept 1896 Stephen Huskey
J. P. Price Notary Public

State of Tennessee }
Sevier County }

Personally appeared before me J. P. Price a notary public for Sevier County J. M. Huskey aged 69. years whose Post Office is Trentville Tenn and Ben Paston aged 39 years whose post Office is Emerts Cove Tenn. who being by me duly sworn declares that they are well acquainted with John Whaley that he is the identical person applying for Citizenship in the Cherokee nation of Indians that he is a son of William Whaley [redacted]d a grand son of Patsy Ogle, a sister to Isaac Huskey Sr. and a Quarter Cherokee Indian by blood

J. M. his + mark Huskey
B. N. Paston

Attest
D. M. Lindsey.

Subscribed and sworn to before me on this 1 day of Sept 1896 and I certify that the foregoing was read and fully explained to affiants and that they are credible

J. P Price Notary Public

7124

John Wesley

vs

Chamberlain

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Brown & Shepard
McCoppell

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner John. Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn. and that my father's name is William Whaley and is on the roll of 1835 if not lost in the emigration And that my wife Mary Whaley is the same blood And that she is the daughter of one Nickolas Owenby-white who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have one children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

John Whaley aged 82 years Mary Whaly aged 58 years and Martha Whaley aged 17 years

My Post Office Address is Gatlinburgh Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) John his ✕ mark Whaley

attest
A. W. Lindsey

Affidavit.

State of Tennessee } On this 31 day of August 1896
County of Sevier } personally appeared before me a Notary Public within said county and State John Whaley a resident of Gatlinburgh who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of John Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. John his ✕ mark Whaley

Subscribed and sworn to before me this 31 day of August 1896

J. P. Price Notary Public

State of Tennessee }
Sevier County }

Personally appeared before me J. P. Price notary Public for Sevier County Tennessee Millo Huskey aged about 69 years Whos Post office is Gatlinburg Tenn & Ben Packum aged 39 years Whos Post office is Emerts Cove Tenn Who Being by me Duly Sworn Declare as follows that they are acquainted With Stephen Whaley and that he is the Indetical Person he represents himself to be applying for Citizenship in the Cherokee nation of Indians that he is the son of John Whaley Grand son William Whaley & Great grand son of Patsy "Ogle", who was a Sister of Isaac Huskey Sr and a Quarter Cherokee Indian by blood.

Millo his X Huskey mark

attest
D. W. Lindsey

B. N. Packum

Subscribed and Sworn to before me on this 1 day of Sept 1896 and I Certify that the same was fully explained to affiants and that they are credible

J. P. Price Notary Public

7123

Stephen Whaley

vs

Cherokee Nation

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Attorney General

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Stephen Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn. and that my father's name is John Whaley and is on the roll of 1836 if not lost in the emigration And that ~~my wife~~ I am unmarried

And that she is the daughter of one

who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have

children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Stephen Whaley aged 21 Years

My Post Office Address is Gatlinburgh Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Stephen Whaley

Affidavit.

State of Tennessee } On this 31 day of August 1896
County of Sevier } personally appeared before me a notary
public within said county and State Stephen Whaley a resident of
Gatlinburgh who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Stephen Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 31 day of August 1896 Stephen Whaley

J. P. Price Notary Public

State of Tennessee
Sevir County

Personally appeared before me, J.P. Price a notary public, Aaron Whaley aged 77 years whose postoffice is Brier Tennessee and J. M. Huskey aged 69 years whose postoffice is Trentvill Tennessee who being by me duly sworn deposes as follows that they are well well aquainted Middleton Whaley that he is the Identical person applying for Citizenship in the Cherokee Nation of Indians that he is the son of Aaron Whaley a grand son of Middleton Whaley and a great grand son of Patsy Ogle a sister to Isaac Huskey a Quarter Cherokee Indian by blood

Aaron Whaley
J M Huskey

Subscribed and sworn to before me on this 2 day of Sept 1896 and I certify that the contents were known to affiants before executed and are reliable

J. P. Price Notary Public

7122

Muscogee Duhaly
Family
Cherokee Nation

FILED SEPT. [illegible] 1896.
A. S. McKENNON
COM'R.

Respectfully

Grover T Shepherd
Muscogee I.T.

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Middleton D Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory: and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Aaron Whaley and is on the roll of 1835 if not lost in the Emigration. And that my wife Sarah Whaley And that she is the daughter of one John Whaley who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have five children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Middleton D Whaley Aged 47 years
Sarah Whaley " 42 "
Mary R Whaley Daughter 19 " "
Victoria Whaley " 13 " "
Wilson Whaley Son 10 " "
Harkeless Whaley " 8 " "
Julie Whaley " 6 " "

My Post Office Address is Brice Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) Middleton D Whaley

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Lenoir } personally appeared before me J P Rice Notary
Public within said county and State Middleton D Whaley a resident of
Brice Tennessee who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Middleton Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 2 day of Sept 1896 Middleton D Whaley
J P Rice Notary Public

State of Tennessee }
Sevier County }

Personally appeared before me J.P. Price a notary public for Sevier county Tennessee Aaron Whaley aged 77 years whose post office is Brier Tennessee and J.M. Huskey aged 69 years whose post office is Trentville Tenn. Who being by me duly sworn deposes as follows that they are well acquainted with Henderson Whaley that he is the identical person applying for citizenship in the Cherokee Nation of Indians that he is the son of Aaron Whaley a grand son of Middleton Whaley and a great grand son of Patsy Ogle a sister to Isaac Huskey and a Quarter Cherokee Indian by blood

Aaron Whaley
J.M. Huskey

subscribed and sworn to before me on this 2 day of Sept 1896 and I certify that they Rosevn the contents before they were executed and Be credible J.P. Price Notary Public

7018

Henderson Whaley

Family

M

Cherokee Nation

FILED SEPT. 10 1896.

A. S. McKENNON

COM'R

Register

Grover T Shepard

Muscogee I.T.

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Hendersan Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tennessee, and that my father's name is Aaron Whaley and is on the roll of 1835 if not lost in the Emigration And that my wife Sarah E Whaley And that she is the daughter of one Wm King who is on following rolls ..... And that I have Issue And Cherokee Indians by blood and members of the Cherokee Indians in this State. children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Hendersan	Whaley	aged 28 years
Sarah E	Whaley	" 27 "
Cordelia	Whaley	Da 10 " "
Lillie	Whaley	" 8 " "
Arlenar	Whaley	6
Laid	Whaley	3
Netta	Whaley	3 month

My Post Office Address is Bixler Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Hendersan his mark Whaley

atty's
D W Lindsey
J D Price

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Benton } personally appeared before me J D Price
Notary Public Price within said county and State Hendersan Whaley a resident of who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Hendersan Whaley and that I and my family are Cherokee Indians by Blood and that I have had the application read and understand it and to the best of my knowledge is true. Hendersan his mark Whaley

Subscribed and sworn to before me this 2 day of Sept 1896
J D Price Notary Public

Copy 7117

Lawrence C. Whaley

Plaintiff

vs.

Jerome Watson

FILED SEPT. 10 1896

A. S. McKENNON

COM'R

Replication

Filed Sept 10th 1896

State of Tennessee }

Sevier county

Personally appeared before me J.P Price a Notary public for Sevier County Tennessee Aaron Whaley aged 77 years whose post office is Boyd Tenn and J.M. Huskey aged 69 whose post office is [redacted]ierville Tenn who being by me duly sworn deposes as follows that they are well acquainted with Leander Whaley that he is the identical person applying for citizenship in the Cherokee Nation of Indians that he is the son of Margaret Whaley a grand son of James Huskey a great grand son of Stephen Huskey and a great great grand son of Isaac Huskey A Quarter Cherokee Indian

[redacted]ron Whaley
J M Huskey

subscribed and sworn to before me this Sept 2. 1896 and I certify that contents were fully known to affiants and are credible

J P Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner. Leander C. Whaley

and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the Sta'e of ~~North Carolina~~ Tenn, and that my father's name is Joel Whaley and is on the roll of 1852 if not last in the Emigration And that my wife Serra Whaley And that she is the daughter of one R. R. Regan who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Leander C. Whaley aged 19 year
Serra Whaley " " 14

My Post Office Address is Trentville Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Leander C. Whaley

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J. D. Price
Notary Public within said county and State Leander C. Whaley a resident of
Trentville Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Leander C. Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 2 day of Sept 1896 Leander C. Whaley
J. D. Price Notary Public

No 7110

Aff.

Andrew W. Partan

Ux

Family

vs.

Solomon Coatsworth

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Respectfully

Your Obedient

Servant

Rochester, N.Y.

State of Tennessee

Sevier County Personally appeared before J.P. Price me, a Notary Public for Sevier county Tenn.
John Husky aged 74 years whose post office is Emerts Cove Tenn. and J.M. Husky aged 69 years whose post office is Trentvill Tenn who being by me duly sworn deposes as follows that they are well acquainted with Anderson Pattain that he is the the identical person applying for citizenship in the Cherokee Nation of Indians that he is the son of Benjamin Pattain a grand son of Martha Pattain a great grand son of William Whaley and Mary Whaley and a great great grand son of Patsy Ogle sister to Isaac Husky and a Quarter Cherokee Indian by blood

attst James R. Ogle John his + mark Husley
J.B. Whittenburg J.M. his + mark Husley

subscribed and sworn to before me this 2 day of Sept 1896 and I attest that the foregoing was fully known to affiants and that they are credible J.P. Price Notary Public

Pattain

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLERK

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner, Anderson W. Partain and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of North Carolina, and that my father's name is Benjamin F. Partain and is on the roll of 1835 if Not Enr in the Emigration And that my wife Mary J. Partain And that she is the daughter of one James Hainard who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have one children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Anderson W Partain aged 21 years
Mary J Partain " 18 "
James Partain Son 1 month

My Post Office Address is Emerts Cove Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Anderson W Partain

Affidavit.

State of Tenn } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J P Price
Notary Public within said county and State Anderson W Partain a resident of Emberts Cove Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Anderson W Partain and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Anderson W Partain

Subscribed and sworn to before me this 2 day of Sept 1896
J P Price Notary Public

State of Tennessee }
Sevier County }

Personally appeared before me a Notary public for Sevier County Tenn Adaline Whaley aged 77 years whose post office is Brier Tenn. and Harklass Whaley aged 61 years whose post office is Gatlinburgh Tenn who being by me duly sworn depos as follows that they are well acquainted with William E. Portain that he is the identical person applying for Citizenship in the Cherokee Nation of Indians that he is a son of Caroline Portain a grand son of Martha Portain a great grand son of William and Mary Whaley, and a great-great grand son of Patsy Ogle a sister to Isaac Huskey a Quarter Cherokee Indian by blood

Adaline Whaley
Harklass Whaley

Subscribed and sworn to before me on this 2nd day of Sept 1896 and certify the contents were fully known to affiants and they are credible

J. P. Price Notary Public

7126

Wm E. Parker

Family

vs.

Clarence A. Seaver

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Report

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner William E. Partain and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of North Carolina, and that ~~my father's~~ name is Lewis Ed my Mother Caroline Partain and is on the roll of 1835 if not lost in the Emigration and that my wife Mary L. Partain who is on following rolls 1835 if not lost in the Emigration & Some Road And that she is the daughter of one Joseph L. Whaley And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Two children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

William E. Partain aged 27 years
Mary L. Partain " " 27 " "
Fredie L. Partain sons " 2 " "
Joseph M. Partain " 10 months

My Post Office Address is Trentwille Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) William E. Partain

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Sumner } personally appeared before me J. D. Pence
Notary Public within said county and State William E. Partain a resident of
Trentwille Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of William E. Partain and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. William E. Partain

Subscribed and sworn to before me this 2 day of Sept 1896
J. D. Pence Notary Public

7716

Cpl

Berry & Pastaine

Affidavit

Cherokee Nation

FILED SEPT. 1896.
A. S. McKENNON
COM'R.

Proof

Brown & Shepherd
Muskogee
Att.

State of Tennessee }
Sevier County } Personally
appeared before me a Notary public
for Sevier County Tenn
John Husky aged 74 years whose
post office is Emerts cove and
~~J. M. Husky aged 69 years whose post office is~~
who being by me duly sworn
declares as follows that they
are well acquainted with Benjamin
N. Pastain that he is the identical
person applying for citizenship
in the Cherokee Nation of Indians
that he is the son of Martha
Pastain a grand son of [redacted]
William Whaley and Mary Whaley
and a great grand son of Patsy Ogle
a sister of Isaac Husky Sr and a
Quarter Cherokee Indian by blood &c
attest J. R. Ogle John his X mark Husky
P. B. Matthews J. M. his X mark Husky
Subscribed and sworn to before me on
this 2 day of Sept 1896 and I certify
that the contents of the foregoing were
known fully to affiants and that they
are credible J. P. Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CHECKED

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Benjamin N Partain and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Willoman E. Partain and is on the roll of 1835 if not lost in the Emigration and that my wife Elvirey Partain And that she is the daughter of one Isaac B. Ogle who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Eight children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Benjamin F. Partain aged 37 years
Elbirey Partain 37
Albert Partain son 19
Martha J. Partain Daughter 18
John P. Partain Son 16 George L. Partain son aged 8
Mary L. Partain Daughter 14 Emily E. Partain Daught 6
Columbus Partain son 11 Minnie E. Partain 1

My Post Office Address is Emerts Cove Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Benjamin N. Partain

Affidavit.

State of Tenn } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J P Price
Notary Public within said county and State Benjamin N Partain a resident of Emerts Cove Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Benjamin N Partain and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Benjamin N. Partain

Subscribed and sworn to before me this 2 day of Sept 1896
J P Price Notary Public

Appl 7112

Joel L Whaley
& family

vs.

Eleven Nations

FILED SEPT. 19 1896.
A. S. McKENNON
COM'R.

Respectfully

Sam Maxfield
Examiner, I.T.

State of Tennessee }
Sevier County }

Personally appeared before me
a notary public for Sevier county
Tenn Aaron Whaley aged 77
years whose post office is Brier Tenn
and J. M. Huskey aged 69 years
whose post office is Trentvill Tenn
who being by me duly sworn
deposes as follows that they
are well acquainted with Joel
L Whaley that he is the identical
person applying for Citizenship
in the Cherokee nation of Indian
that he is the son of John Whaley
and a grand son of William
Whaley and a great grand son
of Patsy Ogle who was a sister
to Isaac Huskey and a Quarter
Cherokee Indian by blood
Aaron Whaley J. M. Huskey

subscribed and sworn to before
me on this 1 day of Sept 1896 and
I Certify that the contents of the foregoing
was fully known to affiants before
they executed same and that they
are credible J D Price Notary Public

J. D. Price Notary Public

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Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Joel L. Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of North Carolina, and that my father's name is John Whaley and is on the roll of 1835 if not lost in the emigration And that my wife Margaret Whaley And that she is the daughter of one James Huskey who is on following rolls 1835 if not lost in the emigration And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Three children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Joel L. Whaley aged 45 years
Margaret Whaley aged 45 years
Leander Whaley aged 19 years
Lucretia Whaley aged 12 years
Marshal Whaley aged 8 years

My Post Office Address is Trentwill Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Joel. L. o'Whaley

Affidavit.

State of Tennessee } On this 1 day of Sept 1896
County of Gibson } personally appeared before me a notary
Public within said county and State Joel L. Whaley a resident of
Trentwill Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Joel L. Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 1 day of Sept 1896

Joel. L o'Whaley

J. P. Price Notary Public

Appeal 7411

Perry J. C. Inhaley
et al.
vs.
Clarence Watson

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Thos. Mayfield,
Surveyor S.J.

State of Tennessee }
Sevier County } Personally appeared
before me J.P. Price a Notary public
for Sevier County Tennessee
Haklars Whaley aged 61 years whose post
office is gatlinburgh Tennessee and
J.M. Huskey aged 69 years whose
post office is Trentville Tennessee
who being by me duly sworn
declares as follows that we are well
acquainted with Perry S.C. Whaley
that he is the Identical person
applying for citizenship in the
Cherokee Nation of Indians
that he is a son of John Whaley
a grand son William Whaley
and a great grand son of Patsy
Ogle who was a sister to Isaac
Huskey sr and a Quarter Cherokee
Indian by blood

H Whaley

J M [illegible] Huskey
mark

Subscribed and Sworn to before me
on this 1 day of Sept 1896 and I Certify
that the foregoing was Read and fully
explained to affiants and that they are
credible J P Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CAMERA

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws. Commission:

Now comes your petitioner Perry S & C. Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is John Whaley and is on the roll of 1835 if Not Lost in the Emygration And that my wife Sallie A Whaley And that she is the daughter of one Wm Williams who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Four children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Perry S & C Whaley	aged	50	years
Sallie A Whaley	"	28	"
Cleary E Whaley	Daughter	16	"
Rinnell J Whaley	Son	14	"
Sallie Whaley	Daughter	12	"
Smsia E Whaley	"	1	"

My Post Office Address is Brier Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) Perry S & C Whaley

Affidavit.

State of Tennessee } On this 1 day of Sept 1896
County of Sevier } personally appeared before me J P Price
Notary Public within said county and State Perry S & C Whaley a resident of
Brier Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Perry S & C Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 1 day of Sept 1896 Perry S & C Whaley

J P Price Notary Public

7109

Libel.

Hawkless Whaley
& family

vs.

Pacific Coast Steam

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

Insufficient.

State of Tennessee
Sevier County

Personally Came and appeared before me J. P. Price a Notary Public for Sevier County Tenn. Aaron Whaley aged 71 years who after being Duly Sworn & Isaac Huskey aged 69 years who first after Gathenburgh Tenn. He being by me duly sworn declare as follows

That they are well acquainted with Harrison Whaley that he is the identical person who makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory that he is the son of John Whaley and grandson of William Whaley & Mary Whaley Great grandson of Katy Ogle who was sister to Isaac Huskey who was one fourth Cherokee Indian by blood

Aaron Whaley
I A Huskey

Subscribed and Sworn to before me on this 2 day of Sept 1896 and I certify that the contents were fully known and that they are credible

J. P. Price Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Harkless Whaley and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are part Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: ~~On the Siler roll made in 1851 and '52 and Hester roll of 1881 and '82,~~ and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Kelly Whaley and is on the roll of 35 if not lost in emigration And that my wife Sara Whaley ..... And that she is the daughter of one Mikahlah Crowly who is on following rolls 1835 if not lost in the Emigration And part Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have 4 children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are part Cherokee Indians by blood by reason being sons and daughters of your applicant, who are part Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Harkless Whaley aged 61 years
Sara Whaley aged 57 years
Ezlie Whaley aged 17 years

My Post Office Address is Gatlinburg part Tennessee

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Harkless Whaley

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J. P. Rice
Notary Public within said county and State Harkless Whaley a resident of Gatlinburg Tennessee who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Harkless Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Harkless Whaley

Subscribed and sworn to before me this 2 day of Sept 1896
J. P. Rice, Notary Public

State of Tennessee }
Sevier County } Personally came
before me J P Price a Notary public
for said County Ben Parton
aged 39 years whose post office is
Emerts Cove Tenn and Millo Huskey
aged 69 years whose post office is
Gatlinburgh Tenn who being
by me duly sworn ... ...
... ... that they are well acquainted
with Columbus Whaley that he is
the identical person applying
for Citizenship in the Cherokee
Nation of Indians that he is
the son of John Whaley and a
grand son of William Whaley
and a great grand son of Patsy
Ogle, who was a sister to Isaac
Huskey Sr. and a Quarter Cherokee
Indian by blood

attest
D W Lindsey

his
Millo X Huskey
mark
B N Parton

Subscribed and Sworn to before me
on this 1 day of Sept 1896 and I certify
that said affiants are credible and
that said affidavit was read and fully
explained before swearing to same
J P Price Notary Public

7104

Columbus Buggy Co
& Foundry Co
vs.
Lorenzo Watkins

1

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Columbus M Whaley

and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is John Whaley and is on the roll of 1851 if not lost in Emigration And that my wife Mary Whaley nee Blead And that she is the daughter of one Noah Ogle who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Four children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Columbus M Whaley aged 33 years
Mary Whaley " 28 "
Lee Whaley Son " 12 "
Noah Whaley " 7 "
Rennie Whaley " 5 "
Laura Whaley Daughter 14 days

My Post Office Address is Gatlinburg Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) .....

Affidavit.

State of Tennessee } On this 31 day of Aug 1896
County of Sevier } personally appeared before me J. P. Price
Notary Public within said county and State Columbus M Whaley a resident of
Gatlinburg who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Columbus M Whaley and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true.

Subscribed and sworn to before me this 31 day of Aug 1896 Columbus M. Whaley
J. P. Price Notary Public

No 110

Appl. Joel Avery
vs
Cherokee Nation

FILED SEPT. 17 1896.
A. S. McKENNON
COM'R

Reversed

Green & Shepard
Mansfield

State of Tennessee }
Sevier County }

Personally appeared before me J. P. Price a notary Public for Sevier County Tenn Aaron Whaley age 77 years whose Post office is Brier Tenn and Hercules Whaley age 61 years whose postoffie is Gatlinburgh Tenn Who being by me duly Sworn declareas follows that they are well acquainted with Joel Ownbey. That he is the identical person who makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory. That he is Son of John Ownbey and Grandson of Mary Ownbey and Great Grandson of Thomas Ogle and Great Great Grandson of Patsy Ogle who was sister to Isaac Huskey who was one fourth Cherokee Indian by blood

H Whaley
Aron Whaley

Subscribed and Sworn to before me on this 1 day of Sept 1896
And I Certify that the contents of the foregoing were known to affiants and that they are credible

J. P. Price Notary Public

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BEST AVAILABLE COPY
DOCUMENT CLEAR

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Joel Bawby and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Part Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: ~~On the Starr roll made in 1867 and '02 and Chester roll of 1881 and '82;~~ and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn., and that my father's name is John Bawby and is on the roll of 1835-if not lost in the Emigration. And that my wife .....

.....And that she is the daughter of one.....

who is on following rolls .....

And Part Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have ..... children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Part Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Joel Bawby aged 28 years

My Post Office Address is is Trentville Tenn.

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Joel Bawby

Affidavit.

State of Tennessee } On this 1 day of Sept 1896
County of Chester } personally appeared before me J. O. Price Notary Public within said county and State Joel Bawby a resident of Trentville Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Joel Bawby and that I and my family are Part Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Joel Bawby

Subscribed and sworn to before me this 1 day of Sept 1896
J. O. Price Notary Public

State of Tenn.
County of Sevier

Personally Appeared before Me J. P. Price a Notary Public for Sevier County Tenn. Preston Whaley, Aged 47 years. Whose Post Office is Pumpkin Cove Tenn. Hercules Whaley, Aged 61 years. Whose Post Office is Gatlinburgh Tenn. Who being by Me duly Sworn declare as follows. That they well acquainted With Bradford Pate. That he is Identical person applying for Citizenship in The Cherokee Nation of Indians. That he is the son of Elizabeth Pate Who Was The daughter of William Whaley and Mary Whaley, and grand son of William Whaley and Mary Whaley And The great grand son of Patsy Ogle. Who Was a sister to Isaac Ensley. So Who Was One fourth Cherokee Indian by Blood.

P. P. Whaley
H Whaley

Subscribed and Sworn to before me on this 2 day of Sept 1896 and I certify that they are credible

J P Price Notary Public

7120

Bradford Pike
et family

vs.

Monroe Co Iowa

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Requested

Sam Shufeldt,
Sheriff, D.C.

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner, Bradford Pate, and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee (Part) Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that ~~my father's~~ mother name is Elizabeth Pate and is on the roll of 1835 by Nat Dr. the Emigration And that my wife Caroline Pate, is Same Blood And that she is the daughter of one Martha Partin who is on following rolls 1835 by Nat Last Dr. the Emigration And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee (Part) Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Bradford Pate, Age 44 years,
Caroline Pate, " 42 years,
Jarad Sam, Age " 16 years,
Mary A. Lile daughter " 14 years,
Nancy E. Pate, " 16 years,

My Post Office Address is Pigeon Forge Tenn,

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted, (Signed) Bradford Pate,

Affidavit.

State of Tenn. }
County of Sevier } On this 1 day of Sept 1896, personally appeared before me A. Notary Public, in and within said county and State Bradford Pate a resident of Pigeon Forge who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for membership in the Cherokee Nation of Indians in the Indian Territory by the name of Bradford Pate (Part) and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Bradford Pate

Subscribed and sworn to before me this 2 day of Sept 1896

J. D. Rose Notary Public

No 7113

Affd.
Isaac Murphy
et al
Cherokee Nation

FILED SEPT 10 1896.
A. S. McKENNON
COM'R

Reynolds
Grover & Shepard
Muskogee
I.T.

State of Tennessee
Sevier County;
Personally appeared before me J. P. Price
a Notary Public for Sevier Co. Tenn.
J. M. Huskey aged 69 years whose
post office is Gatlinburg Tenn. &
Isaac Huskey whose age is 64 years whose
post office is Gatlinburg Tenn who being
by me duly sworn declares as
follows that they are well acquainted
with Isaac Ownby that he is the
identical person who makes application
for citizenship in the Cherokee Nation
of Indians in the Indian Territory
that he is the son Watterson Ownby
Grand son of Steven Huskey Great
Grand son of Isaac Huskey who was
one fourth Cherokee Indian by blood

attest J P Price — J. M. Huskey his mark X
W. E. Parton — Isaac Huskey his mark X

subscribed and sworn to
before me on this 2 day of
Sept 1896 and I certify that
the contents of the foregoing were
known to affiants and that
they are credible

J. P. Price Notary Public

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Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Isaac Ownbey and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Part Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in ~~1851 and '52~~ and Hester roll of 1880 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of North Carolina, and that my father's name is Matterson Ownbey and is on the roll of 1835 if not lost in the Emigration And that my wife Dicie Ownbey And that she is the daughter of one Perry Whaley who is on following rolls of 1835 if not lost in the Emigration And Part Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Part Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Isaac Ownbey 36 years
Dicie Ownbey 26 —
Children: Richard L. Ownbey age 13 yrs
Cora A. Ownbey age 11 years
Eviline Ownbey — 7 —
Martha E. Ownbey — 5 —
Mary L. Ownbey — 3 — Annie E. Ownbey age 1 year

My Post Office Address is Trentwill Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) Isaac Ownby

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J. D. Price
Notary Public within said county and State Isaac Ownbey a resident of
Trentville Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Isaac Ownbey and that I and my family are Part Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Isaac Ownby

Subscribed and sworn to before me this 2 day of Sept 1896
J. D. Price Notary Public

2125

Affo

Robert J Ogle
& family
vs.
Solomon Coulson

FILED SEPT. 10 1896.
A. S. McKENNON
COM'R.

Rejected

State of Tennessee }

Sevir county Personally appeared
before me J.P. Price a Notary Public
for Sevir county Tennessee
John Huskey aged 74 years whose
post office is Emerts Cove Tenn.
and J.M. Huskey aged 69 years whose
post office is Trentville Tenn
who being by me duly sworn depos
as follows that they are well
acquainted with Robert J. Ogle
that he is the identical person
applying for Citizenship in the
Cherokee Nation of Indians that
he is the son of Isaac B. Ogle and
grand son of Rachel Ogle and
a great grand son of Isaac Huskey
a Quarter Cherokee Indian by blood

John his X mark Huskey
J M his X mark Huskey

attest
D.M. Lindsey
W.R. Price

Subscribed and sworn to before
me on this 2 day of Sept 1896
and I certify that affiants knew
the contents and are credible

J.P. Price Notary Public

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DOCUMENT CUT

Application for Citizenship

IN THE CHEROKEE NATION OF INDIANS.

To the Hon. Daws, Commission:

Now comes your petitioner Robert J Ogle and makes application for his family together with himself to be admitted and enrolled as citizens or members of the Cherokee Nation or Tribe of Indians in the Indian Territory; and in support of said application respectfully allege and state as follows: Your applicants are Cherokee Indians by blood; and that I am enrolled on the following rolls of Indians: On the Silar roll made in 1851 and '52 and Hester roll of 1881 and '82, and as a member of the Cherokee Tribe or Band of Indians residing in the State of ~~North Carolina~~ Tenn, and that my father's name is Isaac B. Ogle and is on the roll of 1832 if not last in the Emigration And that my wife Frankey A. Ogle And that she is the daughter of one

who is on following rolls

And Cherokee Indians by blood and members of the Cherokee Indians in this State. And that I have Eight children, who as parents and guardian, would ask that they be admitted with me and enrolled as members and citizens of the Cherokee Tribe or Nations of Indians in the Indian Territory. That they are Cherokee Indians by blood by reason being sons and daughters of your applicant, who are Cherokee Indians by Blood as herein set forth and that the said children live with me. Our names and ages are as follows: (Here insert names of family and ages.)

Robert J Ogle aged 34 years
Frankey A Ogle " 34 "
Kinsey Ogle son 14 " "
Julie A Ogle Daughter 13 " "
Orah E Ogle son 11 " " Robert E. Ogle aged 5 years
Ider E Ogle D 9 " Allis E Ogle D 9 3 " "
Hattie L Ogle " 7 " Samuel W Ogle " 11 months

My Post Office Address is Emerts Cove Tenn

Wherefore your applicant pray that we be by you adjudged to be Cherokee Indians by blood and entitled to and admitted as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory. And the said Daws, Commissioner, enroll your applicants as members or citizens of the Cherokee Tribe or Nation of Indians in the Indian Territory.

Respectfully submitted. (Signed) Robert J. Ogle

Affidavit.

State of Tennessee } On this 2 day of Sept 1896
County of Sevier } personally appeared before me J P Price
Notary Public within said county and State Robert J Ogle a resident of
Emerts Cove Tenn who being duly sworn according to law declares as follows: I am the identical person who applies or makes application for citizenship in the Cherokee Nation of Indians in the Indian Territory by the name of Robert J Ogle and that I and my family are Cherokee Indians by Blood; and that I have had the application read and understand it and to the best of my knowledge is true. Robert J. Ogle

Subscribed and sworn to before me this 2 day of Sept 1896
J P Price Notary Public

End

5563

IN THE UNITED STATES IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

CHEROKEE NATION)

vs : REPORT OF SPECIAL MASTER.

ELJERRY FLEETWOOD ET AL.)

I, N.A.Gibson, Special master herein, respectfully show to the Court that under the order of reference in this cause heretofore made by the Court, I have examined the proof and pleadings herein filed, and made a part of this report, and that I find as follows:

I

That this application was filed on September 7, 1896, before the Commission to the Five Civilized Tribes by the following named parties: Eljerry Fleetwood, Sarah Ward;Lafayette Teel; Samuel Meeks, Stepehn D.C.Edwards, Martha W.Brown; Willie Meeks; Andrew Palmore; Susan Palmore; Grover C.Ward; _____ Ward; _____ Ward; Johnie Fleetwood; Roxie Fleetwood; Minnie Fleetwood; Arizona Fleetwood; Zelma Fleetwood; Willie Fleetwood; Luvena Fleetwood; Juley Fle twood; Cassie Brown; Wm. D.Brown; Loolie I.Brown; Martha Brown; Myrtle Brown; Grover Brown; Lottie Brown; Zelma Edwards; Stephen Ed wards; Emma Edwards; Minerva Jane Boswell; Carrie Ann Teel; Wm. Lafayette Teel; John Hugh Teel and Nannie Teel,- all of whom are residents of the Cherokee Nation, Indian Territory, and who are the children, Grand-children and great-grand-children of Lucinda Fleetwood, who was the daughter of Hosea Morgan, Sr., who is said to have been a Cherokee Indian by blood, who emigrated to the present Cherokee Nation from the State of Georgia in the year 1834

That the parties file in support of thier application a very large number of affidavits and other written testiomny, also letters of administration granted to Lucinda Fleetwood upon the e estate of Charles Fleetwood by the Cherokee Judge of Delaware District; a marriage license issued to R.P.Palmore, a United States citizen, authorizing him to marry Srah Fleetwood in 1874, under the Cherokee laws; a copy of the j[illegible] venire of Delaware District, in-

cluding the name of Lafayeette Teel; also a certificate from the Interior Department showing that Hosea Morgan, Sr., in January 1834 agreed to emmigrate to the present Cherokee Nation, and to surrender his land in the old Cherokee Nation east of the Mississippi river; and also a certificate from the Interior Department showing that Hosea Morgan's improvement was appraised; and also a certified copy of the roll of 484 Cherokee Indians who emmigrated from Georgia to the present Cherokee Nation in 1834, which includes the name of Hosea Morgan, Sr.

II

That the Cherokee Nation filed before said Commission its demurrer and answer on October 21, 1896, and also filed a copy of the proceedings before the Cherokee Commission on Citizenship in 1887, in which proceeding Martha W.Brown et al and Lafayette Teal and others were by that Commission declared not to be citizens of The Cherokee Nation; and also a certificate showing that Lucy Fleet wood made application for citizenship to the Spears Commission in 1883, and was by said Commission rejected.

III

That on November 24, 1896, the Commission to the Five Tribes admitted the petitioners to citizenship in the Cherokee Nation, from which decision the Cherokee Nation appealed to this Court on Jan. 20, 1897. That on September 8, 1897, the petitioners filed a motion to dismiss the appeal herein for reasons therein shown.

IV

That I find that the appellees are Cherokee Indians by blood and are residets of the Cherokee Nation, Indian Terri-t ry, and that they are the descendants of Hosea Morgan, Sr., who emmigrated from the State of Georgia to the present Cherokee Nation in 1834, and who was at that time a recognized citizen of the Cherokee Nation. That the family has lived in the Cherokee Nation ever since that time, and the members have been recognized as Cherokee Indians ever since, though there is no proof to show that they have ever been enrolled since reaching the Cherokee Nation, Indian Territory, [redacted]

1

252

Cherokee Nation

v.

Ezekiel Fleetwood et al

Report of Special

FILED

NOV 10 1890

Jas. A. Wilson

CLERK.

That the authorities of the Cherokee Nation have in numerous instances recognized these appellees as citizens of the Cherokee Nation, but that the proof shows that Lafeyette Teel, Minerva Teel, Carrie A.Teel, Wm.L.Teel, Martha W.Brown, Cassee Brown, Wm.D.Brown, Lula J.Brown, Martha Brown and Lucy Fleetwood were rejected by Cherokee Citizenship Commissions in 1883 and 1888, as above set out. Hat J. M. Edwards swears that at the time of the decision in the Teel & Brown cases, the application had been withdrawn to be used on the trial of Lafayette Teel. for murder at Ft Smith. Respectfully submitted this 10th day of November, 1899.

N. A. Gibson

Special Master.

John L Sieber being first duly sworn says that
he delivered a copy of the application and
evidence in the case of John F Leetwood et al
for citizenship in the Cherokee Nation to Hon
S. H. Mayes ~~as~~ Chief of the Cherokee Nation, at
Tahlequah I. T. this 8th day of September 1896

John L Sieber

Subscribed and sworn to before me this 8th
day of September 1896.

A. S. Scraggs.
Notary Public.

Indian Territory, Northern District S. S.
In the matter of the application of John
Fleetwood et al. for citizenship in the
Cherokee Nation.
On this 2nd day of September 1896 personally ap-
peared before me a Notary Public within and for the
above named District, Jerry Martin aged
years, whose P.O. address is Muscogee Ind. Ter,
who after being duly declared in relation to
aforesaid Claim as follows:
That he is well acquainted with John, Minnie,
Roxie and Mary Fleetwood, and has known
them since their births. That he knows them
to be children of Aquilla and Lorinda Fleetwood,
the said Aquilla being a brother of Ed Fleetwood
who is a recognized and enrolled citizen of the
Cherokee Nation by blood. That said John,
Minnie, Roxie and Mary Fleetwood have been
permitted to reside in the Creek Nation with-
out paying permits, as other Cherokee citizens
could do, and have been accorded all the
rights of Native Creeks, excepting the right
to draw money. That affiant knows that said
John, Minnie, Roxie and Mary Fleetwood are Cherokee
by blood, and so recognized by the people
who know them, and that they were born
in the Cherokee Nation, and have lived in
the Cherokee and Creek Nations all their lives,
and are now residing in the Creek Nation.

Jerry Martin

Subscribed and sworn to before me this 2nd day of September 1896.

John G. Sieber,
Notary Public.

John Porter says that he is and was well acquainted with all the parties mentioned in the foregoing affidant, That he has heard the affidant read, and knows the statements therein contained are true

John Porter

Subscribed and sworn to before me this 2nd day of September 1896 John G. Sieber

Notary Public.

My Com. Expires Dec. 16, 98

FILED SEPT. 9 1896.
A. S. McKENNON
COM R-

#7225

Before the Honorable Dawes Commission.

The application of John Fleetwood on behalf of himself and as next friend for his sisters, Minnie, Roxie, and Mary Fleetwood who are minors, for citizenship in the Cherokee Nation by blood.

John Fleetwood makes application for citizenship for himself and three sisters, Minnie, Roxie and Mary Fleetwood as their next friend, and states the following facts in support of his claim, to-wit:

He is a Cherokee Indian by blood. His father's name was Aquilla Fleetwood, who married his mother Lowenda Meeks, and was a Cherokee Indian by blood. He lived and died in the Cherokee Nation, having been killed by Steve Edwards on Pryor Creek near White oak Switch. Said Edwards was a Cherokee and was discharged for the killing by the U.S. Court at Fort Smith upon the ground that the Cherokee Courts had jurisdiction, and said Edwards

was turned over to the Cherokee
authorities.
The ~~applicant~~ father at the time of his
death owned several farms in
the Cherokee Nation, and was
never required to have any
permit but for some reason
was not placed upon the rolls.
At the time of his father
Aquilla's death, the ~~man~~ applicant a small
boy was about 7 years of age
and his three sisters were all
younger, the youngest being
less than a year old.
The mother of this applicant
upon the death of her husband
the said Aquilla, removed with
her four children to the
home of her brother Nancy
Meeks near Okmulgee in the
Creek Nation, where they were
recognized as Cherokees and as
such were permitted to reside
in the Creek Nation as Cherokees are
permitted to do.
My father's full brother
Edward Fleetwood who resides
at or near Webber Falls, Cherokee

Nation, ~~and~~ is recognized as a Cherokee Nation Citizen and owns a large farm upon which he resides, and has always recognized this Applicant and his sisters as his nephew and nieces.

He states that they are all Cherokees by blood and are entitled to citizenship, and their failure to be enrolled is largely due to the fact that upon their father's death, that ~~Hon~~ their mother was poor and helpless and in that Condition sought the home and assistance of her brother, who resided in the Creek Nation, and with whom they have since resided.

Wherefore he prays that he and his sisters may be enrolled as citizens of the Cherokee Nation.

John F. Lockwood

Subscribed and sworn to before me this 3rd day of September 1896

John R. Lueby
Notary Public.

Nation's No. 2518

Commission's No .....

In re Application of

.....

John T. Fleetwood

et al -

.....

.....

Demurrer and Answer.

FILED Oct 2 1896. ☆

A. S. McKENNON

COM'R

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
John T. Fleetwood
et al

Nation's No. 2578

Commission's No.

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that Aquilla Fleetwood or his mother Lucy Fleetwood nee Morgan through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Respondent, for a further and complete defense to the aforesaid Application says: That, heretofore said applicant made application before a legally constituted Court, or Commission on citizenship, having jurisdiction over applications for re-admission to citizenship in the Cherokee Nation; That the said case was tried upon its merits; that upon a final hearing, judgment was duly given against the applicant and in favor of this Nation. A duly certified transcript of the aforesaid proceedings and judgment are annexed ~~hereto~~ to the Claim of Sarah F. Ward Nelson No. 3182 and made a part of this answer.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Boudinot Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 22 day of April 1896.

D. L. Ball

NOTARY PUBLIC.

End

5504

No 5564

Walter H. Calloway

vs

Cherokee Nation

"

Order of Appeal

NOTICE.

#215

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of .....

Walter H. Atteway ..... to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes:

You are hereby notified that an appeal has been taken in the matter of the application of

Walter H. Atteway

to be enrolled as citizens of the Cherokee Nation, from said

Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 16" day of

Jan'y A.D. 1897.

Clerk.

End

55606

5566 B 442

Nation's No. 3306

Commission's No .....

In re Application of

P. Thomas F Watts.

Demurrer and Answer.

FILED OCT, 21, '
H. M. JACOWAY-
SEC,

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of

Phineus P Watts et al.

Nation's No. 3306

Commission's No. .....

for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, and no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicant is entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Watts through whom the petitioner claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings Hastings & Bosdwell. Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 5 day of Oct, 1896.

D. J. Ball

NOTARY PUBLIC.

Personally appeared before me a
Notary Public for the Northern
Division of the Cherokee Nation I.T.
Robert Walls, to me well known and
state on oath, that he has known
Thomas F. Walls since his birth and
he is the identical person he represents
himself to be in the claim he has this
day made out for citizenship in the
Cherokee Nation. Clinton Walls and
Lellie Walls were my Father and mother
and Thomas F. Walls was their son and
my own brother. My age is 52 years
and I am residing in Sequoyah district
Cherokee, I.T., and my post office
address is Muldrow Cherokee Nation I.T.

Robert his X Walls
mark.

Affidavit of
Robert Walls

Witness
W.G. Merritt.

[redacted] Sworn to and subscribed
to before me this the
7th Day of September 1896
S.O. Johnson
Notary Public

To the Honorable Henry L. Dawes and others Composing the Commission to the Five Civilized Tribes:

YOUR Petitioner Thomas F. Watts

would state and show from the proof submitted to the Commission that he is a Cherokee by decent and by blood having been born in Rutotoc County, State of Mississipi on 22 day of Oct 1852. My fathers name was Clinton Watts. My mothers name was Lettie Watts

That I now reside in the Cherokee Nation

and have resided there for three years. And he avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And he further avers that these facts being proved he is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore he herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing he be adjudged entitled to such citizenship and his name be placed upon the proper roll as a citizen of such Nation.

Signature Thomas F. Watts

State of Ind T
County of Cherokee Nation } SS

In the Division NOW on this 7 day of Sept 1896 personally appeared before me [illegible] a Notary Public for said county and state [illegible] duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true. Subscribed and sworn to before me this 7 day of Sept 1896.

V. O. Johnson

Notary Public.

5566

No 6550

PETITION OF

Thomas H Wells

for and on behalf of

His

VS

and heirs

Delaware Indians

FILED SEPT. 9 1896.

A. S. McKENNON

COM'R.

Rejected

Attorney for Petitioner.

Withdrawn, 9.7.

APPLICATION FOR ENROLLMENT.

TO THE HONORABLE HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation:

GENTLEMEN: The undersigned, your petitioner, for citizenship and enrollment

for and on behalf of Thomas F. Watts

and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the

following evidence in support thereof: I am the son of Clinton Watts who was the full brother of Malichi Watts who was the father of W. J. Watts. Resting my case upon the rights of Malichi Watts for Citizenship and the evidence

in support of said claim, and respectfully await the time when my —application shall be heard and tried.

Respectfully Submitted.

My P. O. Remy IT

Thomas F. Watts

Enrollment of family, with relationship attached, as follows:

NAMES.	AGE.	RELATIONSHIP.
Thomas F. Watts.	42	Father.
Annie L. Watts.	24.	Mother White Woman
Charley B. Watts	6	Son.
Maggie M. Watts.	4	Daughter.
Clinton L. Watts	2	Son

In witness of which I hereunto set my hand on this 7th day of Sept 1896

Thomas F. Watts

Northern Division
Cherokee nation I.T.

Personally appeared before me
a Notary Public in and for the
above named Division of
Thomas F Watts and Deposed
and saith the above statement
is true & Correct to the best
of his Knowledge
Given under my hand
this the 7th day of
September A.D. 1896

L. B. Johnson
N. P.

End

5

Cherokee.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Joseph A Miller Jr, undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives his said Indian blood from Alexander Miller his father, who was a Cherokee Indian by blood. Alexander Miller Sr was a son of Alexander Miller Sr. Alexander Miller Sr was a son of Elijah Miller who was a Cherokee Indian by blood.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 40 years. My Post Office address is Coffeyville Kansas

My family consists of the following-named persons: My wife and children, as follows:

Celia	E.	Miller	, aged 38 years.
Myrtle	M.	Miller	, aged 16 years.
Robert	S.	Miller	, aged 13 years.
Lillie	L.	Miller	, aged 7 years.
Charles	R	Miller	, aged 7 years.
Gilliam	G.	Miller	, aged 5 years.
Horace	G.	Miller	, aged 3 years.
			, aged years.
			, aged years.
			, aged years.

WITNESS my hand this 1st day of June 1896.

Joseph A Miller

State of Kansas } ss.
County of Carroll }

Personally appeared before me, the undersigned authority, Joseph A Miller to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Joseph A Miller

Subscribed and sworn to before me at Coffeyville Kansas this 1st day of Aug, A.D. 1896.

T. C. Bell N. P.

Expiration of office Nov 1-1899

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLERK

United States of America,)
Indian Territory,) SS. Affidavi' of Service and Return.
No rthern District.)

I, C. A. Thomas, do solemnly swear that I did, on this, the 7th day of September, A. D., I896, derve on the Principal Chief of the Cherokee Nation, True, correct and literal copies of the above and foregoing original application, affidavits, record evidence and depoditions and exhibits as follows, to-wit:

One Application for citizenship
of Joseph. A Miller. Et. al
Ark on the Dawes. Com.
and Certificate

certified to by T. B. Bell a notary
Public of Carroll county Arkansas
constituting ___ of the applications and testimony to be submitted to
the Dawes Commission, in support of the claim of
Joseph. A. Miller
for citizenship in the Cherokee Nation.

C A Thomas
Notary Public.

Subscribed and sworn to before me this the 7th daybof September, I896.
G W Baker
Notary Public.
Northern Dist Ark
My commission expires on the 21st day of Nov A. D., I899.

End

5508

No. 4504 5508

Jefferson Smallwood

vs

Cherokee Nation

FILED SEPT 9 1896
A. S. McKENNON
COM'R

Reply
Rejoinder

Original.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Jefferson D. Miller the undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives h[illegible] said Indian blood from Alexander Miller Jr h[illegible] father, who was a Cherokee Indian by blood. Alexander Miller Jr was a son of Alexander Miller Sr Alexander Miller Sr was a son of Hugh Miller who was a Cherokee Indian by blood.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that h[illegible] claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 33 years. My Post Office address is Coal Arkansas

My family consists of the following-named persons: My wife and children, as follows:

Martha Ann	Miller	aged	34 years.
Floyd	Miller	aged	9 years.
Lillie M.	Miller	aged	7 years.
Ebner	Miller	aged	6 years.
Rushen	Miller	aged	3 years.
Howard	Miller	aged	1 years.
		aged	years.
		aged	years.
		aged	years.
		aged	years.

WITNESS my hand this 1st day of Aug 1896.

his
Jefferson D. + Miller
mark

State of Arkansas } ss.
County of Carroll }

Personally appeared before me, the undersigned authority, Jefferson D. Miller to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

his
Jefferson D. + Miller
mark

Subscribed and sworn to before me at Coal Arkansas this 1st day of Aug, A.D. 1896.

G. P. Bell N. P.

Expiration of office nov 4-1897

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CLERK

United States of America,
Indian Territory,
Northern District. } SS. Affidavit of Service and Return.

I, C. A. Thomas, do solemnly swear that I did, on this, the 7th day of September, A. D., 1896, serve on the Principal Chief of the Cherokee Nation, true, correct and literal copies of the above and foregoing original applications, affidavits, record evidence and depositions and exhibits, as follows, to-wit:

One application of Jefferson D. Miller for citizenship on the Dawes' roll and the same

certified to by J. B. Peel Notary Public of Carroll county State of Ark

constituting all of the applications and testimony to be submitted to the Dawes Commission, in support of the claim of

Jefferson D. Miller et al

for citizenship in the Cherokee Nation.

C. A. Thomas

Affiant.

Subscribed and sworn to before me this the 7 day of September, A. D., 1896.

Northern District Ind Ter

G. W. Baker

Notary Public.

My commission expires on the 7 day of Nov A. D., 1899

End

5569

No 4501 5569

Albert Miller

v.

Cherokee Nation

FILED SEPT. 9 1896

A. S. MCKENNON

COM'R.

Rudd Atty

Enrolled

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Gilbert Miller Jr., undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives his said Indian blood from Alexander Miller his father, who was a Cherokee Indian by blood. Alexander Miller Sr. was a son of Alexander Miller Sr. Alexander Miller Sr. was a son of Hugh Miller who was a Cherokee Indian by blood.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 28 years. My Post Office address is Ruby, Ark.

My family consists of the following-named persons: My wife and children, as follows:

Mary Mc.	Miller	aged 27 years.
Ira Lee	Miller	aged 2 years.
James E.	Miller	aged 4 years.
Margarette L.	Miller	aged 7 years.
Jesse E.	Miller	aged 6 years.
Julia Mc.	Miller	aged 4 years.
Albert Ed.	Miller	aged 1 years.
		aged years.
		aged years.
		aged years.

WITNESS my hand this 1st day of Aug 1896.

Albert Miller

State of Arkansas } ss.
County of Carroll }

Personally appeared before me, the undersigned authority, Albert Miller to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Albert Miller

Subscribed and sworn to before me at Coagel (Ark) this 1st day of Aug A.D. 1896.

J. B. Bell N. P.

Expiration of office Nov 4-1897

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

United States of America,
Indian Territory,
No rthern District.

SS. Affidavit of Service and Return.

I, C. A. Thomas, do solemnly swear that I did, on this, the 7 day of September, A. D., 1896, serve on the Principal Chief of the Cherokee Nation, True, correct and literal copies of the above and foregoing original application, affidavits, record evidence and depositions and exhibits as follows, to-wit:

one Application for citizenship
of Albert Miller Et. al
and the same is

certified to by J B Bell Notary Public
of Carroll county Ark

constituting ___ of the applications and testimony to be submitted to the Dawes Commission, in support of the claim of

Albert Miller Et-al

for citizenship in the Cherokee Nation.

C A Thomas

[redacted].

Subscribed and sworn to before me this the 7 day of September, 1896.

G W Baker

Notary Public.

My commission expires on the 21 day of Nov A. D., 1899.

End

5570

No. 4507 5570

Thos. T. Smith

vs

Cherokee Nation

FILED SEPT. 9 1896

A. S. McKENNON

COM'R

Rejected

Dept Ark

Original.

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Thomas F. L. Miller Jr, undersigned, respectfully states that he is a Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives h[illegible] said Indian blood from Alexander Miller his Father, who was a Cherokee Indian by blood. Alexander Miller Jr was a son of Alexander Miller Sr Alexander Miller Sr was a son of Hugh Miller who was a Cherokee Indian by blood.

Your petitioner states the above facts as the lawful grounds of his application for citizenship in the Cherokee Nation, and prays that his claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 40 years. My Post Office address is Cane Hill Arkansas

My family consists of the following-named persons: My wife and children, as follows:

Nancy L.	Miller	aged 21 years.
Sallie	Miller	aged 23 years.
Eben	Miller	aged 20 years.
Lissie	Miller	aged 18 years.
Lou	Miller	aged 17 years.
Maude	Miller	aged 7 years.
		aged years.
		aged years.
		aged years.
		aged years.

WITNESS my hand this 14th day of August 1896.

Thomas F. L. Miller
his mark

State of Arkansas } ss.
County of Conway }

Personally appeared before me, the undersigned authority, Thomas F. L. Miller to me known to be the petitioner in the above petition, who being by me first duly sworn, upon his oath says that he is the petitioner in the above petition, that he has read (or heard read) the said petition, and that the facts stated therein are true, as he verily believes.

Thomas F. L. Miller
his mark

Subscribed and sworn to before me at Cane Hill Arkansas this 14th day of August, A.D. 1896.

F. P. Bell N. P.

Expiration of Office Nov 14-1899

United States of America,)
Indian Territory,) SS. Affidavit of Service and Return.
Northern District.)

I, C. A. Thomas, do solemnly swear that I did, on this, the 2nd day of September, A. D., 1896, serve on the Principal Chief of the Cherokee Nation, true, correct and literal copies of the above and foregoing original applications, affidavits, record evidence and depositions and exhibits, as follows, to-wit:

An Application of Thomas
P. S. Miller et al. for
for citizenship on the Dawes com.
and the Same is

certified to by J B Bell a notary Public
& Carroll county Ark
constituting ____ of the applications and testimony to be submitted to the Dawes Commission, in support of the claim of
Thomas P. S. Miller
for citizenship in the Cherokee Nation.

C. A. Thomas
~~No~~

Subscribed and sworn to before me this the 7th day of September, A. D., 1896.

G M Bates
Notary Public.

My commission expires on the 21 day of Nov A. D., 1899

End

5571

Original.

To the Honorable the Dawes Commission on
Citizenship in the Five Civilized Tribes in the
Indian Territory.

Your petitioner, William T. Mill[illegible] the
undersigned respectfully states that he is a Cherokee
Indian by blood, and asks to be enrolled as
a member of the Cherokee Nation of Indians
in the Indian Territory. That he derives his said
Indian blood from Thomas. F. S. Miller.
his father
who was a Cherokee Indian by blood.
Thomas. F. S. Miller was a son of Alexander.
Miller Sr. Alexander. Jr. was a son of Alexa
der. Miller Sr. Alexander. Miller Sr was a
son of [illegible]. Miller who was a Cherokee
Indian by blood. Your petitioner states
the above facts as the lawful grounds of his
application for citizenship in the Cherokee Nation
and prays that his claim may be fully investigated
by your Honorable Commission and that he
be adjudged to be a citizen of said Nation of
of Indians and entitled to all the rights and
privileges pertaining to such citizenship in
accordance with the laws and treaties with said
Nation of Indians. My age is 23 years My
Post Office is is Osage Arkansas. I have no family.
Witness my hand this 17th day of August 1896

William. T. Miller.
his mark

My commission expires on the 21 day of Nov A. D., 1899

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

State of Arkansas,
County of Carroll. } S.S.

Personally appeared before me the undersigned authority William T. Miller to me known to be the petitioner in the above petition who being by me first duly sworn upon h[illegible] says that he is the petitioner in the above petition that he has read (or heard read) the said petition and that the facts stated therein are true, as he verily believes.

William T. Miller
his
mark

Subscribed and sworn to before me at Piney Arkansas this 17th day of August A.D. 1896

F. D. Bell. N.P.

Expiration of Office Nov 4-1897

[illegible] Service and Return.

Northern District.

United States of America,
Indian Territory,
Northern District.

ss. Affidavit of Service and Return.

I, C. A. Thomas, do solemnly swear that I did, on this, the 7 day of September, A. D., 1896, serve on the Principal Chief of the Cherokee Nation, true, correct and literal copies of the above and foregoing original applications, affidavits, record evidence, depositions and exhibits, as follows, to-wit:

One application of William J. Miller Et al. & Ark for citizenship in the Cherokee Nation before the Dawes Com and the Cherokees

certified to by J. B. Bell Notary Public of Carroll county Ark

constituting all of the applications and testimony to be submitted to the Dawes Commission, in support of the claim of

William J. Miller et al

for citizenship in the Cherokee Nation.

C. A. Thomas

Subscribed and sworn to before me this the 7th day of September, A. D., 1896.

Northern District Ind. Ter.

S. H. Baker
Notary Public.

My commission expires on the 21 day of Nov A. D., 1899

End

5572



Receipt of H. M. Jacoway, Jr., Secretary to The Commission to the Five Civilized Tribes, the original papers, in the cause of

..... vs. ..... Nation, as follows:

Witness my hand and official seal at Muskogee

this the 26 day of July 1907

Jno Wolfe
Clerk

No. [illegible]

Byers Fleetwood et al

vs.

Cherokee Nation

" " " "

Order of Appeal

1441

NOTICE.

252

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of Eljerry Fleetwodd et als to be enrolled as citizens of the Cherokee Nation.

TO THE Commission to the five civilized tribes

You are hereby notified that an appeal has been taken in the matter of the application of

Eljerry Fleetwood et als

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 20th day of Jan. 1897. A.D. 189

Clerk.

End

6573

Nation's No. 2508.

Commission's No .....

In re Application of

Caroline Hays, et al.

Demurrer and Answer.

FILED SEPT. 25 1896

A. S. McKENNON

COM'R.

Before the Honorables, Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, and A. B. Montgomery, Commissioners.

In the matter of application of
Caroline Mays, et al.
for citizenship in the Cherokee Nation.

Nation's No. 258.
Commission's No.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy, no legal right, therefore, to hear and determine the same.

2nd. That the application does not state facts sufficient, if true, to show that the applicants are entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that James Washington Mays through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory as at present located and defined; that his name does not appear on any of the authenticated rolls of said Nation; that neither he nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. MAYES, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

John L. Adair

Subscribed and sworn to before me this, the 21 day of Sept. 1896.

D. J. Bull
NOTARY PUBLIC.

duplicated

To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Charley Mays & Caroline Mays his wife, undersigned, respectfully states that he is a descendant of the Cherokee Indian by blood, and asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That he derives h[illegible] said Indian blood from James Washington Mays, his Grand Father, who was a Cherokee Indian by blood. That his Fathers name was Charles Washington Mays Son to James Washington Mays that his Father was. That his Father Cousin to Thomas Mays present chief of the Cherokee Nation and therefore his decent Cousin His wife Caroline Mays derives her decent from Cyrus Cokeley and Ex Chief of the Cherokee Nation

Your petitioner states the above facts as the lawful grounds of application for citizenship in the Cherokee Nation, and prays that h[illegible] claim may be fully investigated by your Honorable Commission and that he be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to [illegible]enship in accordance with the laws and treaties with said Nation of Indians.

My age is 38 years My Post Office address is Hot Springs Arkansas

My family consists of the following-named persons: My wife and children, as follows:

My wife Caroline Mays, aged 37 years.
And my children as follows viz: Polly A. Mays, aged 12 years.
" " " Peter W Mays, aged 11 years.
" " " John J Mays, aged 8 years.
" " " Samantha J Mays, aged 6 years.
" " " Ollie A Mays, aged 4 years.
" " " Thomas C Mays, aged 2 years.
, aged years.
, aged years.
, aged years.

WITNESS my hand this 11th day of Sept Cember 1896.

his
Charley X Mays
mark
Caroline + Mays
mark

Attest J H Scroggins
notary Public

The State of Arkansas
County of Garland } ss.

Personally appeared before me, the undersigned authority, Caroline Mays to me known to be the petitioner in the above petition, who being by me first duly sworn, upon oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition, and that the facts stated therein are true, as she verily believes.

Attest J H Scroggins Notary Public
her
Caroline + Mays
mark

Subscribed and sworn to before me at Hot Springs Garland County Arkansas this 11th day of September, A.D, 1896.

J H Scroggins
Notary Public
Commission Expires
March 2d 1899

United States of America,
Indian Territory,
Northern District. } ss. Affidavit of Service and Return.

I, T. A. Thomas, do solemnly swear that I did, on this the ~~xxx~~ ~~seventh~~ 8th day of September, A. D., 1896, serve on the Principal Chief of the Cherokee Nation, true, correct and literal copies of the above and ~~foregoing original application, affidavits, record evidence and depo-~~ sitions and exhibits, as follows, to-wit:

Application of Thos Mayes, Et al

Certified by J. H. Donaghey, N. P.

constituting Part of the applications and testimony to be submitted to the Dawes Commission, in support of the claim of Thos. Mayes Et al. for citizenship in the Cherokee Nation. Indian Territory

for citizenship in the Cherokee Nation.

T. A. Thomas

Subscribed and sworn to before me this 8 day of September, A. D., 1896.

T. H. Baker

Notary Public.

My commission expires on the 21st day of November, A. D., 1899.

End

5574

TO THE HON. COMMISSION APPOINTED BY ACT OF CONGRESS TO TREAT WITH THE FIVE CIVILIZED TRIBES, COMMONLY KNOWN AS THE DAWES COMMISSION.

Eliza Holland hereby makes application to the Honorable Commission for herself and her six children to be enrolled as citizens of the Cherokee Nation, Indian Te ritory and as grounds for said application she represents that she is a daughter of one John Milam deceased, who was a Cherokee Indian by blood and a citizen of the Cherokee Nation at the time of his death. That she has lived in the Cherokee Nation two years and has made ~~two~~ one crop.

That applicants father died in said Cherokee Nation some time between 1860 and 1865. That your applicants father the said John Milam was mar ied to your applicants mother, Emiline Carter in the State of Kentucky, and yout applicant is a daughte of the said John Milam and Emiline his wife. That the said John Milam was nearly if not ~~quite~~ entirely a full blood Cherokee Indian, an d your applicant nearly if not quite a half blood Indian. That your applicant has six living children as follows:__ Jennie Reese nee Rogers, Coleman Rogers , LettyBorry nee Rogers, John rogers, Albasha Roseby nee Rogers, Ashley Rogers. That these children are your applicants by Aaron Rogers to whom she was married in the state of Arkansas. That afterwards the said Aaron Rogers died and your applicant married C.R. Holland her present husband.

WHEREFORE, your applicant and her said six children are Indians by blood and entitled to citizenship in the Cherokee Nation and accordingly they pray that they may be enrolled as citizens of the Cherokee Nation, Indian Territory.

I, Eliza Holland do solemnly swear that I have read the contents of the foregoing application and that the statements

therein contained are true and correct.

her
Elizax Holland
mark

Subscribed and swron to before me on this 8th day of Sept1896.

Thos. A. Dawson Jr.
Notary Public, Northern Dist
Indian Territory.

UNITED STATES OF AMERICA
CREEK NATION INDIAN .TERRITORY

Bebote methe undersigned authority personall appeared Eliza Holland who after having been by me duly sworn states under oath, my name is Eliza Holland,and am 54 y ars of age, I was born in Maysville Kentucky. Was first married to Aaron Rogers in Arkansas and by him I had eleven children,six of whome are now living. Jennie Reese being forty years old, Coleman Ro ers, Thi ty eight, Letty Berry ,thirty seven, John Roger thirty five,Alabasha Roseby and Ashby Rogers.

I am the daughter of John Milam who w s a Cherokee Indian by blood. I recollect my father well, I was about sixteen years of age when I last saw him. My mother was n amed Emiline ,her maiden name was Carter.

My father and mo ther were married in he state of Kentucky. My father was nearly if not quite a full blood Cherokee Indian and could speek the Cherokee language , in fact he could hardly speak the English language. He left his family in the state of Missouri during the war and came to the Cherokee Nation Indian Territory and remained in the said Nation until his death.

My mother and father had five children , and my father lived with us until he left us in Missouri and came to the Cherokee Nation.

I first came to the Indian Territory three years ago and have resided in the Territory since then. My husband C.R. Holland and I made one crop in the Cherokee Nation. I have always been recognized as an Indian by blood.

her
Eliza x Holland
mark

Subscribed and sworn to before me on this 8th day of Sept. 1896.

Thomas A. Lamon Jr
Notary Public
Northern Dist. Indian Territory

Affidavit of
W J Moore

United States of America }
Indian Territory }

Before me the undersigned authority on this day personally appeared J. J. Moore who after having been by me duly sworn states under oath, that my name is J. J. Moore I am forty seven years of age and am a citizen of the Choctaw Nation and Terry. I know Eliza Holland and have known her since she was a girl. I knew her father during his life time. Eliza Holland is a daughter of John Milam, and the said John Milam was a Cherokee Indian by blood. I knew him in the Cherokee Nation and he was a recognized citizen of the Cherokee Nation. John Milam died during the latter part of the late war. He died between the four Mile branch and Tahlequah in the Cherokee Nation.

I know that Eliza Holland the applicant herein was is a daughter of the said John Milam. The said John Milam frequently talked to me about his family and said he left his family in Georgia. He frequently told me that he had five children one of which was Eliza, now Eliza Holland. I know this Eliza Holland to be the identical person who is the daughter of said John Milam. Eliza is the oldest child of the said John Milam. Eliza has been married twice the first

LEGHORN ABSTRACT
PRESS
GEO. D. BARNARD & CO.
St. Louis.

married to
since she was Aaron Rodgers, and by him
she had Several Children, After his death
she was married to C.R. Halland with
whom she now lives.

I, J. J. Moore do solemnly swear that
I know the Contents of the foregoing
affidavit and that the allegations
therein ~~are~~ in are true and Correct.

J. J. Moore

Subscribed and sworn to before me on
this the 5 day of September A.D 1896.

Wm R Shackelford
Notary Public
Northern District
Indian Territory

Affidavit of
John Porter

United States of America }
Indian Territory } ss

Before me the undersigned Authority on this day personally appeared John Porter and after being by me duly sworn states under oath. My name is John Porter, I am a Cherokee Citizen by blood. am 56 years of age. I knew John Milam in his life time He died between Fourwith branch and Tahlequah in the Cherokee Nation some time between 1855 and 1865. He was a Cherokee Indian by blood. He was one of the old settler Cherokees. He was about 7/8 Cherokee and spoke the Cherokee language. He was about 65 years of age at his death. I am not interested in the application of Eliza Holland.

I, John Porter do solemnly swear that I know the Contents of the foregoing affidavit and the statements therein are true.

his
John X Porter
mark

Subscribed and sworn to before me on this the 7 day of Sept. 1876.

Seal

Chas. Dowd Weiss
Notary Public Southern Dist.
Indian Territory

Na 3454 5714

Declaration

of Eliza Hollard

for citizenship

in Cherokee Nation

Filed 9 Sept 1896

Ben Jacoway

Clerk

United St
Ind

REGISTRY RECEIPT.

Post Office at .....

Registered Letter / Parcel No. 243 Rec'd Sept 8 1896

of Chas Von Weise

addressed to Hon I Sparhecker
Attorney Gen

(2) P. M.

swear the
a package
of Music
Principality
Ind Ty. That the Lottery receipt No. 243
received from the Post Master hereto
attached is a receipt for said package
which contained true copies of the
application and affidavit of Eliza
Holland and of the affidavit of John
Porter and J. G. Moore in support
of the saddle. J B Kelly

Subscribed & sworn to before me
on this the 8th day of Sept 1896

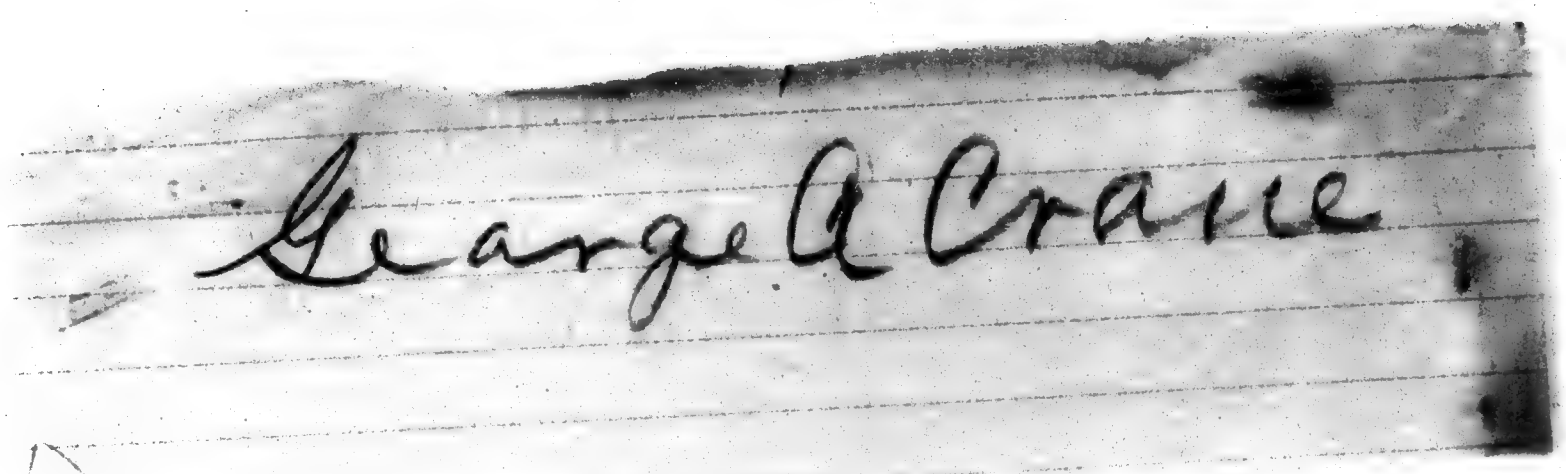
Chas Van Weise
Notary Public
Morton Reid Co. Ty.

Ltrd

LEGHORN ABSTRACT
FROM
GEO. D. BARNARD & CO
St. Louis

End

George A. Crane


George A Crane

DEPARTMENT OF THE INTERIOR,

OFFICE OF ASSISTANT ATTORNEY-GENERAL,

WASHINGTON, *July 16, 1894.*

John O. Cobb, *et al.*,
v.
The Cherokee Nation. } Alleged Cherokee Citizenship.

The SECRETARY OF THE INTERIOR.

Sir: The claimants in this case are John O. Cobb, who married one Eudora Moffett; S. H. Payne, who married Martha A. Moffett; and Dr. Moses Bell, who married Sarah Jane Moffett. These men claim right to citizenship by reason of intermarriage with women of Cherokee blood.

The three women named, Eudora, Martha A., and Sarah Jane, were sisters, and claimed to be Cherokees by blood. They were admitted to citizenship by the Supreme Court of the Cherokee Nation in 1870 and 1871. Afterwards it was determined by the Adair Commission that the decree of the Supreme Court was obtained by fraud, and on December 7, 1877, the National Council passed an act declaring these parties and their families to be intruders, and directing their removal.

The parties entered what may be styled appeals to the Department from this action of the Cherokee authorities.

These several appeals have been submitted to me for examination and report as to the correctness of the findings of the Cherokee authorities whereby these appellants were declared to be intruders in the Cherokee Nation.

Counsel for the Cherokee Nation insist that the Department of the Interior has no jurisdiction of this matter, and in support of that contention have filed an elaborate argument. They cite, first, the decision of the United States Supreme Court in volume 117, U. S., page 288, known as the "Cherokee Trust Funds Case," in which the Supreme Court held that the Cherokee Nation had the exclusive right of determining the question of citizenship within the Cherokee Nation. Counsel also cite the first article of agreement made between the United States and the Cherokee Nation, dated December 19, 1891, and approved by Congress March 3, 1893, the first paragraph of which is as follows:

"First. That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the

laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or act of Congress, shall be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of 1835, and sections twenty-six and twenty-seven of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

Prior to the approval of this agreement by Congress, the Department had held uniformly that it had the power to look into the question of alleged citizenship in the Cherokee Nation, in order to determine whether persons alleged to be intruders by the Cherokee Nation should or should not be forcibly ejected therefrom by the United States authorities. The Department acted upon the opinion given by Mr. Attorney-General Devens (16 Op. 404). That opinion was based upon the treaties of 1835 and 1866 between the United States and the Cherokee Nation Those treaties obligated the United States Government to protect the Indians in the Cherokee Nation against intruders and to remove them therefrom.

While the Department recognized the right of the Cherokee Nation under these treaties to determine who were and who were not citizens of that nation, yet, acting upon the opinion of Attorney-General Devens, the Department claimed the right to be satisfied that a person found to be an intruder by the authorities of the Cherokee Nation was in fact an intruder, before he would be forcibly ejected. This ruling was adopted and followed by the Department, because neither the treaty of 1835 nor that of 1866 provided that the United States Government should accept as final a decision by the authorities of the Cherokee Nation on the question of citizenship, and act thereon on the demand of the constituted authorities of said nation. It will be seen, however, that the agreement of 1891, approved March 3, 1893, does provide that no one shall be a citizen of the Cherokee Nation unless he is recognized as such by the constituted authorities thereof, and that all persons not so recognized shall be deemed and held as intruders and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States as trespassers upon the demand of the principal chief of the Cherokee Nation. Thus it will be seen, by the terms of this agreement, the Cherokee Nation is to be the sole judge of the right of any person to citizenship within that nation, and that when a person is declared not to be a citizen, but an intruder, he shall be ejected therefrom by the United States authorities on demand of the principal chief of the Cherokee Nation.

Where it is claimed by one who is declared by the Cherokee Nation to be an intruder, that he falls within some one of the exceptions contained in the first paragraph of article two above quoted, then it would be the duty of the Department to inquire and determine whether or not such person comes within the exceptions found in said paragraph

The exceptions are as follows: "Persons in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation in conformity with the laws thereof, or in the employment of the United States Government, or citizens of the United States who are resident in the Cherokee Nation under provisions of treaty or acts of Congress." Where the claim of a person is simply that he is a citizen of the Cherokee Nation, and that question has been decided against him by the constituted authorities of said nation, then the Department has no right, in my opinion, to inquire into the correctness of the decision of that question, because the constituted authorities of the Cherokee Nation are to be the sole judges of such question, and the plain and simple duty of the United States Government is to remove such person as an intruder on demand of the principal chief of the Cherokee Nation.

No one of the appellants in the cases now before me claims to come within either of the exceptions set forth in the first paragraph of article two, but all claim to be "citizens of the Cherokee Nation." "The constituted authorities" of the Cherokee Nation do not recognize their claim, and I advise that the Department has no jurisdiction to inquire into the correctness or propriety of the determination made in these cases by the authorities of the Cherokee Nation.

The papers submitted to me are herewith returned.

Very respectfully,

JOHN I. HALL,
Assistant Attorney-General.

Approved:
HOKE SMITH,
Secretary.

3047
Incise. No. 2

DEPARTMENT OF THE INTERIOR

OFFICE INDIAN AFFAIRS.

George A.Crane,et als.

PETITION IN RELATION TO CHEROKEE CITIZENSHIP

TO THE HONORABLE SECRETARY OF THE INTERIOR:

The undersigned,

George A.Crane,most respectfully represents and makes known that his wife,Caroline, was a daughter of Zack Downs,sometimes called Zack Downing,who was a Cherokee Indian by blood and a cousin of Lewis Downing,at one time Principal Chief of the Cherokee Nation:

That in 1871 your petitioner and said Caroline removed from the States of Arkansas into the Cherokee Nation and application was made to the proper authorities of the Cherokee Nation for the admission to citizenship of the said Caroline and she was so admitted and under the direction of Lewis Downing who was then Principal Chief of the Cherokee Nation,your petitioner took the steps required by law and applied to the proper authorities and procured a license to inter-marry with the said Caroline under and in conformity to the laws of the Cherokee Nation and the said marriage was duly solemnized in accordance with such law:

That your petitioner has living in the said Cherokee Nation the following children and grand-children,viz: Benjamin F.Crane, who has inter-married with a Cherokee woman named Nancy,by whom he has one child; George A.Crane: Zachariah Crane,who is married to a white woman named Maggie,by whom he has one child named Gertrude: Mary A.Crane,who is married to a Cherokee Woman named Nettie and by whom he has three children; William Crane who is

married to a white woman whose name is Ella: Joseph E.Crane: America Harper whose husband is Albert Harper and by whom she has six children: Parthenia C.Barnes whose husband is Albert Barnes,a Cherokee Indian and by whom she has three children. Margaret Crane. And three children of Mary Beerman, deceased, by her husband James Beerman, who is living, and Sarah Duggan who intermarried with Thomas Duggan and by whom she has four children,the said Sarah and her children, and husband living in Pike County,Arkansas:

Your petitioner says that on December,7th.,1872,he received from the Clerk of the District Court of Tahlequah,District Cherokee Nation,a certificate shewing that he was a lawful intermarried and adopted citizen of the Cherokee Nation,a copy of which is hereto attached and made a part hereof,marked exhibit 'A',the original of which he holds subject to the order of the Department:

That in 1874 your petitioner bought as a citizen of the Cherokee Nation from a citizen of the Nation,an improvement,taking a bill of sale which was witnessed by John R.Vann,a man well versed in the laws of the Cherokee Nation and at one time a member of the Supreme Court of the Cherokee Nation:Acopy of said bill of sale is hereto attached marked exhibit 'B'.

Your petitioner attaches hereto,copies of the sworn statement of Eliza E.Vickery and Nancy M.Musgrove,J.C.Young,Walter Christie and John Ross,marked exhibits 'C' 'D' 'E' and 'F',the originals being held subject to the order of the Department.

That his citizenship is now denied by the authorities of the Cherokee Nation.

That as soon as your petitioner heard of the presence of

Inspector Duncan and that said Inspector was directed to hear the claim of same within which petitioner believes that he comes,he started to Fort Smith,where he learned the Inspector then was, and before he could reach there was informed that the Inspector had closed his investigation.

WHEREFORE,Your petitioner humbly prays in behalf of himself his wife and their family,that he may be granted a hearing of their claim and have their rights as citizens of the Cherokee Nation restored to them and that said Nation be required to enroll them and allow them to participate in all the rights and privileges of citizenship in the Cherokee Nation.

Witness
Myra Young.

His
George A. Crain
Mark

UNITED STATES OF AMERICA ( )
( ) ss.
INDIAN TERRITORY. ( )

George A.Crane,being duly sworn says he is one of the petitioners in the above petition and that he knows the contents thereof and that the statements therein contained are true as he verily believes.

Witness
Myra Young.

His
George A. Crain
Mark

Subscribed and sworn to before me this 14 day of March,19

Myra Young
Notary Public.

(COPY)

Tahlequah,C.N.

Dec. 7th.,1872.

This will certify Mr.Crane a white man and formerly a citizen of the U.S. has complied with the law of the Cherokee Nation,'Regulating intermarriage with white men',and stands as a citizen under said law of the Cherokee Nation.

(Signed) W.H.Turner Clk.

Dist.Ct.for Tahlequah

Dist.Cherokee Nation.

Marriage License

Recorded.

'EXHIBIT A'.

(COPY)

KNOW ALL MEN BY THESE PRESENTS that I,Jack Vickery a citizen of Canadian District,Cherokee Nation,for andin consideration of the sum of Seventy Five Dollars ($75.00) to me in hand well and truly paid by George A.Crane,a citizen of said District and Nation,the receipt of which sum is hereby acknowledged,have bargained,sold and by these presents do bargain and convey all of my right,title and intrest in and to a certain improvement situated in Canadian District and in the Canadian bottom,which place is bounded as follows towit: Bounded on the west by the place of Thomas Watts,on the east by the place ~~as~~ known as the Tracker place. To have and to hold the above described place to the said George A.Crane his heirs or assigns forever.

I also bind myself,heirs or administrators to defend the sale of said place unto the said George A.Crane against any and all persons whomsoever.

In witness whereof I have hereunto set my hand and seal this the 24th.,day of August 1874.

(Signed)

his
Jack X Vickery.(SEAL)
mark.

Witness
(Signed) John R.Vann
(Signed) Emma Vickery.

EXHIBIT F.

(COPY)

State of Arkansas

County of Pike.

On this 12th.,day of December,1889,personally came before the undersigned Circuit Clerk of the County and state aforesaid,Eliza E.Vickery of Pike County,Arkansas,and Nancy M. Musgrove of Pike County Arkansas,persons to me well known and reputable and being first duly sworn say that they were personally acquainted with Parthena Caroline Downs,who married George A.Crane in 1852 on May 20,that the said Parthena Caroline Crane, nee Downs,was the daughter of Zachariah Downs and that he the said Downs was generally recognized and considered by the people who knew him to be a Cherokee Indian.

(Signed) Eliza E. her X Vickery mark.

(Signed) Nancy M. her X Musgrove mark.

Subscribed and sworn to before me this 12th.,day of December 1889.

(Signed) Jos.Mack. Clerk.

(SEAL)

'EXHIBIT C'.

(COPY)

FIRST JUDICIAL DIVISION IND.TER.

Personally apeard before me this the 13th.,May 1891 J.C.Young and states on oath that he was personally acquainted with the following persons I.Tennise and knew him by the name of Jack Downe and was called by that name a great deal and his proper name was Jack Downing and was acquianted with his father and knew him by the name of Downs and Downing and new them as Cherokees Indians and I new Jack as Downing as Commissary Quarter Master for the Cherokee & I new him to be a sesen to Lewis Downing and they all came west to gether.

(Signed) J.C.Young.

Sworn to and signed before me this the 13th.,day of May 1891.

(Signed)Isaac Mooney,Notary Public

First Division Ind.Ter.

(SEAL)

'EXHIBIT 'F'.

(COPY)

CHEROKEE NATION ( )
( ) SS.
FLINT DISTRICT ( )

In the nature of the citizenship claim of G.A.Crain this day personally appeared before me,B.J.Fletcher, clerk in and for the Flint District Cherokee N. Wat.Christie of Flint District Cherokee Nation and makes the following affidavid I am 80 years old a native born citizen of the Cherokee Nation

Affiant further states that he was well acquainted with Zack Downs or Zack Downing of the eel Cherokee Nation back in Georgia and knew the hole family of the Downings and they wer all Cherokees by Blood.Zack Downs was a cousin to Lewis Downing they come west together.Affiant further states that he is not concerned in the prosecution of this claim.

(Signed) His Walter X Christie Mark.

Sworn and subscribed to before me this 13 day of June A.D.1893.

B.J.Fletcher
Clerk Flint,I.T.

(SEAL)

"EXHIBIT F".

(COPY)

CHEROKEE NATION ()
() SS.
FLINT DISTRICT. ()

In the matter of the [illegible] citizenship claim ,G.A.Crain,this day personally appeard before me,B.G.Fletcher Clerk in and for the Flint District Cherokee Nation,John Ross of Flint District Cherokee Nation and makes the following affidavid.Affiant states that he is 67 years old-a full blood Cherokee Indian and so recognised by the Cherokee Nation/.Affiant further states that he was well acquainted with Zack Downs or Zack Downing,was acquainted with his father who was a Cherokee Indian by blood.Zack Downin the father of Caseline Downing who married a man by the nam of G.A.Crain.Zack Downing was an agent Ishing Ration for the Cherokee back in the old nation Zack Downing was a [illegible] to Lewis Downing and they all came west together. I am not concerned in the prosecution of this claim.

(Signed) His
John X Ross.
Mark.

Sworn and subscribed to before me this 13 day of June A.D.1893.

B.G.Fletcher
Clerk Flint Dist.I.T.

(Seal)

'EXHIBIT F'.

End

William M. Dunn



Indian Territory, Central Judicial District.

Before me, [illegible], a Notary Public in and for said district, R.L. Williams, being duly sworn, says on oath that he made an exact copy of the herewith petition of William M. Dunn; that said copy was a true and exact duplicate of the original petition of said Wm M. Dunn herewith filed before your Honorable Court; that on the 2nd day of September 1896 said R.L. Williams in person mailed said exact duplicate copy in a registered package through the United States mail to S.H. Mayes, Principal Chief Cherokee Nation, Tahlequah, I.T.; said copy was placed in a registered package, containing Three other duplicate petitions, to wit., The joint petition of John Ward & Sarah Jane, Elija Jane et als & Melissa Ward Taylor & Wm Wilson; said registered package containing said four duplicate petitions was deposited with U.S.I.P. Pate [illegible] States Post Master at Atoka, I.T., from whom said R.L. Williams took the following receipt in the name of G.A. Pate, Esq., to wit:-

Registry Receipt.

[illegible] Atoka, I.T., Registered Letter, Parcel [illegible] received 9/2, 1896. of G.A. Pate Atoka, I.T., addressed to S.H. Mayes, [illegible] Cherokee Na.. Tahlequah, I.T.- G.A. Pate. P.M.

Subscribed and sworn to before me this 4th day of September 1896.

G.A. Pate

Notary Public.

End

David Elliott et al

1669

DEPARTMENT OF THE INTERIOR,

WASHINGTON, March ~~11~~ 25, 1889.

The Commissioner of Indian Affairs.

Sir:

I have considered your letter of the 8th instant, submitting to the Department an appeal filed in your Office by Messrs. Jones and Vorhees, in behalf of David Elliott and twenty-five other persons, comprising the Elliott family, who appear to have been given notice as intruders to dispose of or remove their improvements and also to remove themselves from the Cherokee Country, under the decision of the Department dated August 21, 1888, in the case of John Kesterson.

No report of the facts in the case of the Elliott family is presented except as they are set out in the brief filed by the attorneys, and there is nothing to show that their case differs in any essential points from that of Kesterson, or that any different action should be taken thereon.

It appears that in the Kesterson case my predecessor gave full consideration to this question of "disputed claims to Cherokee Citizenship" and reached the conclusion that said Kesterson was within that country (Cherokee Country) without proper au-

7669

ority; he is an intruder and must be dealt with as such under the provisions of article 27 of the treaty of 1866, which provides that 'it is the duty of the United States Indian Agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the Nation, as they now are, or hereafter may be, required by the Indian Intercourse laws of the United States' (14 Stat. 806). He however must be dealt with as an intruder in the light of the facts in his case." x x x x x x

"Having gone there in apparent good faith upon invitation "of the Nation, made valuable improvements while suffered or per- "mitted to remain there, the Department will not cause nor suffer "his removal to be made in such summary and sudden manner as to "work great harm and loss to his property and unnecessary inconven- "ience and hardship personally to himself and family. He is en- "titled to the protection of the government of the United States "in a proper way as a citizen, as he is not admitted to the Chero- "kees nor under their jurisdiction; and this protection is peculi- "arly necessary in such a case. He is entitled to a reasonable "time and opportunity, in view of all the circumstances of his long "residence and labor there, to dispose of his property, or remove

"it, as may be most suitable to its character, and to gather his "crops now growing. x x x x x x x x x x x x x x

"The Agent should be instructed that as this right of Kesterson's to the disposition of his property is necessarily short-"lived, limited and tenuous, so it should be the more perfectly "considered and protected, and every circumstance turned rather to "make it efficacious and valuable than to weaken or impair it. "Kesterson ought to have approximately the full, fair value of his "property, and the cessation of his status in the Territory ought not to be made a means of depriving him of any of his property or "of its value, except in so far as is unavoidable with fair consid-"eration. The time necessary to this may vary with circumstances. "If attempt be made to take unfair advantage the time should be [redacted]. It appears to the Department that it should not be "limited to less than six months in any case. x x x x x x x

"Also instruct the Agent to prevent such summary acts of in-"justice in similar cases in the future, and promptly to report to "the Department any such case apparently requiring action."

No such report in the case of the Elliott family as the instructions contained in the Kesterson case requires to be made.

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K802 (89

S. T. S Epartment

Sleigh 25. 1849

Cher Cit

Replying to letter of

8th inst. ult. + the

Chev. Citizenship

Cases of David Col-

lett and others,

Line

Fées

L Murchison

is presented to the Department, with your letter now under consideration, and I am not so fully advised of the merits of this case or on the general subject, as to warrant me in taking the action recommended by you, which practically amounts to an indefinite stay of proceedings in all cases of the class of claimants to Cherokee Citizenship analogous to that of John Kesterson, which, after long and tedious investigation and consideration was decided by my predecessor.

Before any action is taken by the Department the proper Agent should be called upon for a report of the facts in the case, and until that report is received and considered, he should be instructed to take no further steps for the removal of the Elliott family from the Cherokee Country, and be in otherwise interested in the matter: but in the meantime the crops may be planted & they must be paid for their labor and Colt, or be allowed to remain to reap & carry away. Even in case of adverse decision - & any such is not made

Very respectfully,

1150, Ind. Div. '89. very respectfully

Secretary.

One enclosure.

H.L.M.

Before the Commissioner of Indian Affairs.

In the matter of

David Elliott,
Benie Elliott,
Pink Hillin,
Joe Hillin,
Bessie Hillin,
John W. Elliott,
Odorothy Elliott,
John B. Elliott,
Thomas J. Elliott,
Wm. Vaughn,
Catharine Harris,
Daisy Harris,
William Harris,
Riley Harris,
Eby Harris,
David Harris,
Jas. H. Harris,
Lillie Harris,
Matilda Bates,
Roxie Bates,
Alix Miller,
Florence Vann,
Mrs. Millie Miller,
Ida Miller,
Wm. Miller,
Ira Miller

Residents of the Cherokee Nation, and claiming citizenship therein.

Hon. John H. Oberly,

Commissioner of Indian Affairs.

Sir:

We have the honor to call your attention to the situation of certain residents of the Cherokee Nation, which, from its unmerited and wholly unjust hardships, and from the destitution, misery and vagabondage which it must ultimately result in, if allowed to remain unchanged, more than warrants us in an urgent appeal to this Department for its intervention in behalf of these helpless people, to the end that justice and right may be done in the premises.

These people compose the Elliott family, Cherokees by blood, who, after the treaty of 1835 between the United States and the Cherokee Nation, did not go West with the body of people, but who, with many other Cherokees, remained East of the Mississippi River.

The earnest desire of the Cherokee Nation to join again to it, those who saw fit for the time to stay in their old home, that the race might be one people, strong in numbers, resulted in an invitation by the National Legislature, published to the world on their Statute Books, to all these people to abandon their homes in the East, and on showing right by blood, to become Cherokee citizens. These efforts were also made by agents, inducements being held out by them and representations made as to the character of proof necessary. Many of these Indians remaining in North Carolina, South Carolina, Alabama and Tennessee, acted on these promises and representations and journeyed to the Indian Territory, and among them the Elliotts, about 1870. At once they demanded the rights of citizenship promised them, and in 1874 their proof, brought with them, was in the possession of the National Council, then having jurisdiction of this question. In the next year these claimants were informed that the council had lost the proof presented and had not acted. Having replaced such few of the missing papers as it was in their power to secure, they persistently made every effort to have their case adjudicated. This honest en-

deavor resulted in a reference of the case by the Council, to a Committee of the Senate, which reported that their claim was valid and should be allowed. No final action, however, followed. As in most of thes cases, these people spent many years in fruitless demands that a decision be rendered. To the inequity of this state of affairs, we had the honor of calling the attention of the Department in the case of John Kesterson. During all these years their rights as Cherokees were so far recognized that they were allowed, equally with those whose claims had been passed on, to occupy the Nation's land, to build homes for their wives and children, to further improve it by years of labor and the expenditure upon it of the money accruing therefrom, until these lands, naturally rich, under the spur of intelligent industry, have become covered with valuable improvements, aggregating in value thousands of dollars. It is quite plain that the thought, that they were eventually to be deprived, without compensation, of these handsome farms, cultivated and fenced, the accumulated results of years of labor, to be enjoyed in their productive and prosperous condition, by some envious stranger, while they, the producers, wandered destitute and homeless, had never occured to them. Finally, after years spent by them in honesty of purpose, to make a home among their Race, and after years spent by the National Authorities in reckless, unjust and cruel indifference to their peculiarly strong equitable right to an immediate determination of their claim, a decision was rendered. They, though their Cherokee blood was not questioned were denied the rights of citizenship and were declared intruders.

Formerly, under circumstances of this character, these improvements, though they were the provisions against the helplessness of age, assured by the youth of those now feeble and decrepit, were by the laws of the Nation, actually, and without effort made to conceal the iniquity of the transaction, confiscated; and robbed and impoverished, the owner was ejected from the country. The true character of this penal law, which reduced to beggary those against whom no wrong was alleged, in punishment of no crime committed, was too plain to remain exposed in its savage nakedness, even to Indians, and in 1886, by the Act of December, 8th., the Cherokees

attempted to obscure it by a veneering of certain formalities to be observed by the victim; which, however, fail of their purpose, and do but represent the alternative sometimes given one condemned to death, to die by the hand of the executioner or to commit suicide.

This act provides that, the question of citizenship, being decided adversely to the claimant, such claimant shall sell or give away, at any rate get rid of, his improvements within ninety days; that he shall sell them to no one but a Cherokee Indian, a citizen of the Nation, and that, failing to do this within the ninety days, the Sheriff shall dispose of them at auction.

In the case of John Kesterson, who under this law, was robbed of his property worth over $2,500.00, under cover of an auction sale which brought $220.00 in scrip worth fifty cents on the dollar, we laid bare the true character of this law. It is still confiscation. It is very clear, as was demonstrated in that case, that, even though individual Indians possessed in cash so much as $2,500.00 to $3,000.00, they, if also possessed of average intelligence, would not pay the full value of this property, when by waiting three months, they could buy it at a compulsory sale where any price offered had to be accepted. In view of these things, this Department declared that these people should have all the time necessary in which to secure the full value, that at least six months should be given them, and more should the occasion demand it; and Kesterson was immediately reinstated in possession.

It is well known to this Department and notorious throughout the Cherokee Country, that Agent Owen is hostile, in intention and action, to this class of residents . Instead of promulgating the spirit of the Departmental determination, that the full value should be gotten for these improvements, if the owners had eventually to remove, Owen issued an order that these people should have six months instead of three, before the compulsory sale occured. Has anything been accomplished here, in keeping with the determination of the Department, to prevent these people being robbed of their property? Has this order done any thing further than to

make any one wishing to buy, wait six months instead of three, for the time when he can obtain the property for practically nothing? Such effect will any time limitation have. But these Indians do not possess, in cash, money necessary for such large payments. The Nation can meet them with ease, for it, as a political body, is rich. The citizens possess property, but of just such a character as that which is to be sold, and no outsider is allowed to buy. The property must stay in the Nation and the Nation itself is the ultimate beneficiary. The Nation invited these people there, allowed them to occupy this land, stood by and saw and permitted them to expend time and labor and money in building improvements; there is no fault of any kind alleged against the owners, and by no process of reasoning can the confiscation, either actual or under cover of the auction sale, be justified; and we, therefore, insist that it is the duty of the Nation itself to make full compensation for the property of which the Nation itself deprives the innocent owner, and that the fiat by the Nation that he shall take what he can get, something or nothing, as the case may be, and begone, does not fulfill this duty.

In International Law we find the same rules of equity and right governing Nations that govern individuals. It is a well known rule of equity that where one, an owner of land, has stood by and knowingly permitted another person to build valuable improvements on it, he cannot arbitrarily deprive him of the land and improvements without first making full compensation for the latter.

If this thing had been done on a foreign soil to an American citizen innocent of all wrong, by the Government of such Country, it would be the duty of this Government to protect its citizen in his right to his property, and the Foreign Nation itself would be held answerable.

If these people are Cherokee citizens, it is the duty of the Executive, under treaty, to see that they are not unjustly deprived of life, liberty or property.

If they are not Cherokee citizens, they are of necessity citi-

zens of the United States, and are entitled to the protection which the United States owes to every citizen, no matter where the errant instincts of trade may have led him.

We have the honor to quote from the order of the 4th instant, issued by the Hon. Commissioner to Agent Owen, relative to the claims of W. J. Watts and others.

"You will furnish the Principal Chief of the Cherokee Nation with a copy of the Attorney General's opinion, a number of which are herewith enclosed, and advise him that this Department will expect the Cherokee Nation to return all property taken from claimants of this class, or where such specific return is not possible by reason of the conversion of the said property, or intervening rights of innocent purchasers, make reasonable compensation therefor".

The claimants referred to are recognized by the Department as Cherokee citizens. We have to ask whether the right of a Cherokee citizen to his property is more sacred than that of a citizen of the United States, and whether the Government will protect the one and not the other? Whether the Nation itself must pay for the property of the one, and the other be left to get what he can? The fixed six months limitation, arbitrarily made by Owen, in violation of the Spirit and letter of his order from this Department, has almost expired against the Elliotts. They have not been able to sell for a fair valuation, and are in imminent danger of forcible deprivation of their property. The time has arrived for putting their crops in the ground, and their uncertainty as to how they are to be dealt with, paralyzes the agricultural labor necessary to their subsistence. Standing in view of the probability of handing over to the enjoyment of some other person the results of many years toil, they naturally hesitate to plant crops to be harvested by the same stranger. We earnestly ask in the name of justice and fair dealing, that Agent Owen's six months order be rescinded and that he be instructed to at once permit these people, in accordance with the spirit of the order of the Hon. Commissioner, re-

ferred to above, to plant their crops and to give them assurances that they shall be protected in caring for them, and in the subsequent harvesting.

The Nation can suffer no detriment by this action, It but increases the value of what must be left behind when these people go, if go they must.

Full recognition of the binding and controlling force of the principle, pervading this subject, on Nations as well as on individuals, has been recently evinced by the United States through Legislative uterance and its approval by the present Executive. Notwithstanding the amount of feeling pervading this country on the subject of the exclusion of the Chinese from it, which tended to sway men's minds to action not fully considerate of the equitable rights of these people, this principle was too clear to be ignored, even under these circumstances. The rights of those who had acquired property were so clear to Congress, that they, having been permitted to reside in this country, could not be arbitrarily deprived of the property which they had been permitted to accumulate, that it refrained altogether from excluding them from the country, and expressly provided, by Sec. 6 of the Act entitled "An Act to prohibit the coming of Chinese laborers to the United States," approved September 13th., 1888, that this class should be excepted from the general effect of the Act, and that, though they had left our shores, they should be permitted to return.

We again submit that under no set of circumstances should they be expelled from the Cherokee country until the Nation, directly responsible for their unhappy situation, has made payment for the property which it retains.

Very respectfully,

February, 16th., 1889.

Jones Brokeen.

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End

Sarah Ellis

No. 1859

Sarah Ellis

vs

Cherokee Nation

Brief

FILED Oct. 1: 18[illegible]

A. S. McKENNO[illegible]

Cl'k D-k[illegible]

M. M. Edmiston

-LAWYER, Vinita,

Before the Honorable, the Dawes Commission

Sarah Ellis et-al
vs
Cherokee Nation
} No 1859
Brief

The evidence shows the Grand mother Barbra Wolfe to have been a Cherokee Indian and that Barbras Brother John Wolfes was a recognized Cherokee Indian & blood—recognized & the Cherokee Nation Ind. Ter. and evidently on old settlers rolls,

The applications are respectfully submitted

W M Edmiston
Atty. for Plffs.

End

Amanda Endesley et al

Cherokee Claims

Amanda Eastenley Etals
Vs Petitioners
Cherokee Nation

No

Argument

B. F. Armonette,
Atty for Petitioners
Roxton Texas

Amanda Endesley Et al
vs
Cherokee Nation

Before the [redacted] Commission
for the Five Civilized Tribes of Indians

Argument

This case is submitted upon the affidavits of two witnesses who state Amanda Endesley in Tennessee and knows that she and her family are and were recognized and treated as Cherokee Indians by their neighbors acquaintances and friends That Campbell Bennington was her father and her [redacted] mother by whom she and her descendants received their Cherokee Indian blood

That she and her descendants are entitled to citizenship in said Cherokee Nation by virtue of their Cherokee blood.

That it has been the spirit of the United States and the Cherokees to admit all who could prove their Cherokee Indian blood. That she believes that the Cherokee rolls will show the name of her father Cambell Bennington and Especially that part compiled in Tennessee in or about the year of A.D 1835, to which she refers your Commission. She believes you will admit her and her descendants to citizenship as other Cherokee Indians

Respectfully Submitted
B. F. Simmonette
Atty for Petitioners

End

Antoine Gallis

In the matter of
vs
Antonia Gillis, applicant
for enrollment as Chickasaw Citizen.

33086

[redacted] Muscogee.

[redacted]

Attorneys at Law.

Muscogee, I. T., Oct 24th 1898.

Hon Comr of Indian Affairs.
Washington. D.C.

I would most respectfully call your attention to the case of Antonia Gillis, who claims to be a Delaware by blood, & who has been so declared by Comr Jno. W. Wallace, & who (Gillis) under enrollment as such on the Chickasaw Rolls. Comr Wallace in his decision, however, took the ground that Gillis did not reside in Texas under the treaty by which the Delawares were incorporated into the Chickasaw Nation & from his decision Gillis prayed an appeal to your Department, & upon this point alone the case is now standing & the papers are on file in your office. Knowing this case he [illegible] Gillis applicant showing why he came in too late as is maintained by Comr Wallace.

Without going into the argument in his behalf (for which see my Brief filed in his behalf) I respectfully ask as early consideration of the matter as your other duties will allow, so that the [illegible] of Mrs Gillis may be

Page 2

Clayton, Driggers & Forrester, Ft. Smith, Ark. S. C. Nelson, Muscogee.

[redacted]

Attorneys at Law.

Muscogee, I. T., 189

vs

figure with a view to his permanent enrollment on the Cherokee rolls, I have no doubt whatever that Mr Gillis is a Delaware Indian by blood, and do not think his right thereto lapse on account of his ignorance of the provisions of the treaty above alluded to, nor do I think a treaty concluded by a tribe of Indians, who at the time had no government of their own, with the United States, thereby debar him from such citizenship as he may have had, or was entitled to as a member of such tribe. The Delaware Indians as such had no distinctive nationality. Mr Gillis has been raised not by a few of his own people more through prejudice than anything else.

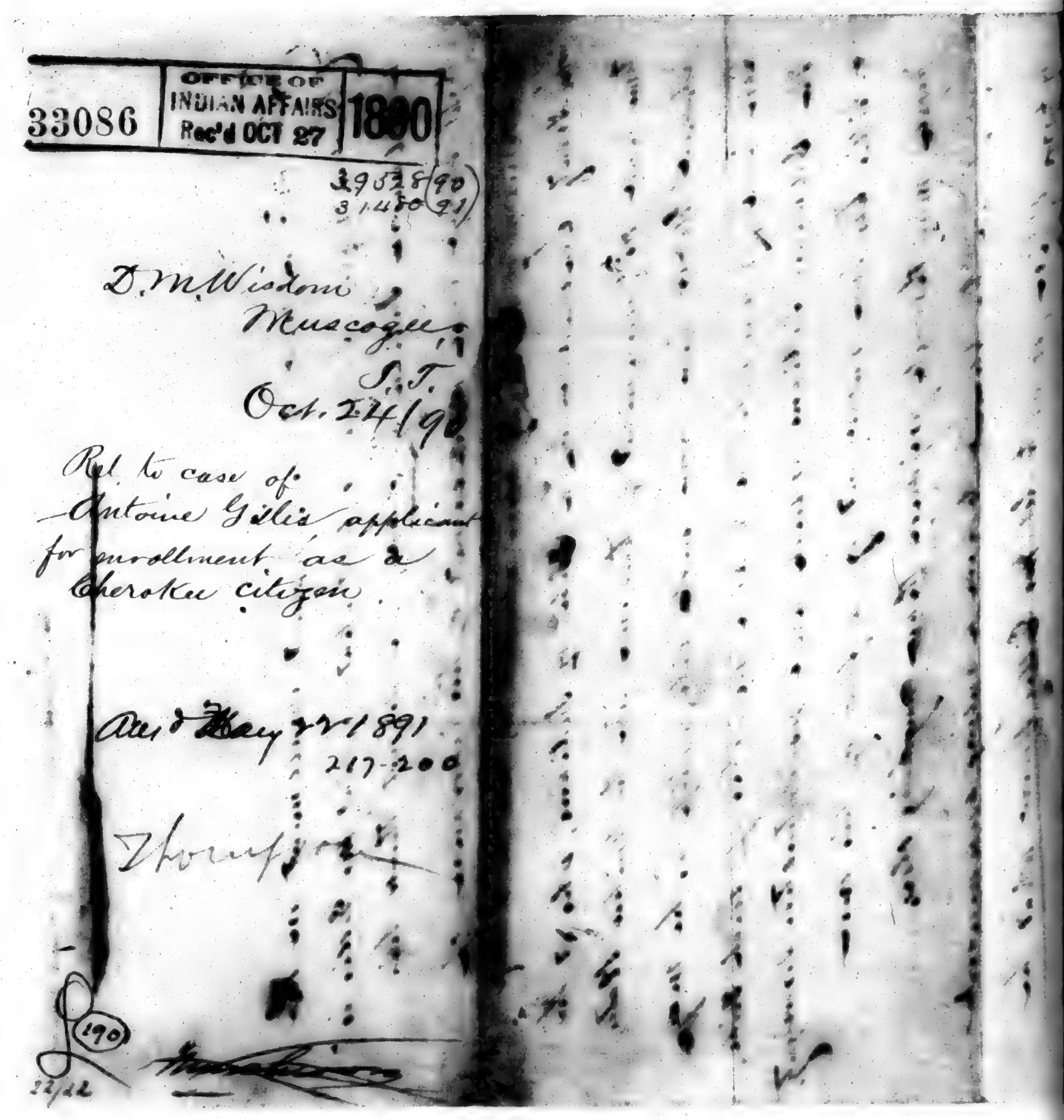
I therefore be pleased to have a ruling announced by your office, so as to let Mr Gillis know what he can do or whether he is an honest applicant for enrollment with the people with whose fortunes he is seeking identification & incorporation.

Very Respectfully your obt.

P.S.

Refer you to Com Atkins for free patticulars

W. M. Steadman.


33086
OFFICE OF INDIAN AFFAIRS
Rec'd OCT 27
1890

39838 (90)
31480 (91)

D. M. Wisdom
Muscogee
I. T.
Oct. 24 / 90

Rel to case of
Antoine Gillis applicant
for enrollment as a
Cherokee citizen.

Atty's Copy 7/1891
217-200

Thompson

190

22/12

39528

OFFICE OF INDIAN AFFAIRS Rec'd DEC 22 1890

Dec 33086/90
3148/91

Muscogee Dft
Dec 16/90

D. M. Wisdom

Asks rights of Antoine Gillis as a Delaware Indian.

Dept. of the Interior. Dec 20 1890 Referred to the Chief Clerk.

Asst May 22 1891
H 217-200

(191)
22/100

37

D. M. WISDOM. S. A. WILKINSON.

WISDOM & WILKINSON,

Attorneys at Law,

Will practice in all the Courts of the Territory. Correspondence solicited.

RECEIVED DEC 23 1890 1890

MUSCOGEE, I. T. Dec 16th 1890.

To the Hon. Sec of Interior.
Washington. D.C.
Sir:

I am attorney for Antoine Gillis, who claims to be a Delaware Indian by blood, & he was so adjudged by Comr. Wallace in making up the rolls of citizenship of the Cherokee Nation, but Comr. Wallace held that Gillis arrived in the Cherokee Nation too late under the treaty by which the Delawares were incorporated into the Cherokee Tribe of Indians. I appealed from his decision to the Interior Department, & there the matter rests, as I understand it. Also the proof in the case should be before you, & I would be pleased to have a final decision in the matter, as Mr Gillis is desirous of acquiring the residence right of his tribe.

Please advise me, whether the matter has reached you as yet, & what the final decision of your Department is. The position of Gillis' claim has been eliminated from the Controversy by Holden's decision, & the only question is, as I understand it, is whether the Delawares owned, & had sovereignty to cut a man out of his tribal rights, simply because the Council see fit to take into the Territory. See my brief as to this point

Very Respectfully
S. M. Wisdom

Petition of

Antoine Gillis & others

for

Incorporation into the

Cherokee Nation & enroll=

ment under the act

of Congress March 2nd/87.

Filed Sept 9th 87

John W. Wallace

Commissioner

Sworn and subscribed

to before me this

ninth day of Sept.

A.D. 1887

John W. Wallace

Commissioner

D. M. Wisdom

atty for Petitioners

To Hon. Jno. W. Wallace. Special Commissioner &c:

Your Petitioner, Antonio Gillis, respectfully submits & shows unto your Honor that he is by blood a Delaware Indian, & that he is a son of a Delaware Indian Woman. His Father being a White man of French Canadian descent.

That his Petitioner ante is to be received, recognized & incorporated into the Cherokee Nation. Ind. Terr, as a member of said Cherokee Tribe of Indians, pursuant to Art. 15 of the Treaty of 1866 made & concluded between said Cherokee & the United States, & ratified August. 11th 1866. & also under the Agreement made between the Delawares & the Cherokees, April 8th 1867, under which Agreement the Delawares purchased of the Cherokees for their occupancy a quantity of Land east of the line of 96° West Longitude, equal in the aggregate to 160 acres for each individual member of said Delaware Tribe of Indians, who had been enrolled upon a certain Register or Register of said Delawares made July 1st 1867 by the Delaware Agent, & on file in the Office of Indian Affairs, being the list of the Delawares who elect, or elected to remain with the "Indian Country" and to which list it was further provided that names of other Delawares may be added, with the consent of the Delaware Council, within one month after the signing of said Agreement of April 8th 1867.

Pltiner further states & asks that his name be enrolled as a member of the Cherokee Tribe of Indians for partic= ipation in the Fund $75.000 appropriated by an Act of Congress approved Oct. 19th 19th 1888, & that he be allowed to be identified as a participant of said Fund under the Act approved March, 2nd 1889. & to award said identification among other things this Application is filed.

Your Pltiner further states that he is the Father of 5 living Children, all of whom are residents of the Indian Territory, viz. Jno. H. Gillis. Louis J. Gillis. Charles H. Gillis. Hallie Gillis, who has intermarried with one Hoard Moore, ~~Maggie Gillis~~, Davis D. Gillis, & ~~Daniel H. Gillis~~, who are Delawares by blood, & entitled to recognition as such, & on whose behalf this Pltiner is also files.

Pltiner bases his claim to citizenship in the Cherokee Nation, or to his admission into said Tribe, & to his enrollment as such upon the following evidence. viz- which are filed as Exhibit to this Pltiner, & made a part thereof-

1. Affidavit of Antoine Gillis. the Pltiner.
2 " " Sophie Chetard.
3 " " Peter Pepper.
4 " " Mary Gillis Rogers.
5 " " J. B. Hastid

Pltiner further asks, that he

owned I was about to come into the "Indian Country", & join the Delawares, but that he never received the Notice stipulated for by & between the Cherokee Nation & the Delawares, under in sufficient time to enable him to take advantage of the Terms of said Agreement of April 8th 1867, & said Petitioner states that he is a man of no education whatever, & is not able to either read or write the English Language, & being separated from his people, although his tribal relation still exists, at the time said Agreement of April 8th 1867 was made, he had no way to know of said Agreement with any certainty or definiteness, & therefore could not ~~agree~~ consent to its terms,

That after it was fully understood by him he came to the Indian Territory to join his people, (the Delawares) where he has since resided in good faith, & has made any reasonable effort for recognition by the Delaware Council, but thus far has failed, & he believes his failure to secure such recognition is due rather to technical grounds, that to any issue upon his blood. Petitioner submits, that such an Agreement as that of April 8th 1867, ought not to deprive him of his Citizenship in the Delaware Tribe of Indians, & preclude him incorporation into the Cherokee Nation, & that without Notice of said Agreement of April 8th 1867, no judgment by default could be taken against him & his family.

Respectfully Submitted.

Antoine Gillis
mark



United States Indian Service.

Union Agency,

Muscogee, April 12th, 1886.

Mr Chas. B. Gillis,

Tulsa, Ind. Ter.

You are hereby notified that the Commissioner of Indian Affairs directs me to say that the matter of Chas B. Gillis is remanded to the Creek Courts, and the order of this Agency as to said, so far as it places them in the custody of Policeman Robt Marshal is withdrawn, and the parties are at liberty to proceed—

Very Respectfully Yours.

Robt A. Owen
U.S. Ind Agt.

Ex. "B"

To.

Antonine Gillis Statement.

Tulsa I.T.
Dec 11 1884.

To Whom these presents may come
I will state that
I have been acquainted with
Antonio Ellis for several years.
He claims to be a Delaware
Indian, & claims his wife to be
a Cherokee Indian, He has never
claim to be a Creek
Indian as to time

L. C. Bergevin
Clerk

Under Article 15 of the Treaty 1866 between the Cherokees & the U. States it is agreed, that the United States may settle any civilized Indians, friendly with the Cherokees & adjacent tribes, within the Cherokee Country, on unoccupied lands east of 96° on such terms as may be agreed upon by any such tribe & the Cherokees, subject to the approval of the President of the United States &c.

Ratified August 11th 1866. Pursuant to said Art. 15, the

+ The Delaware & Cherokee country thereunder by ~~Treaty~~ Agreement made April 8th 1867. used to the Delawares for their occupancy, a quantity of Land east of the line of 96° West Longitude, equal in the aggregate to 160 acres for each individual member of said Delaware Tribe who had been enrolled upon a certain Register of the said Delawares made May 28th 1867 made by the Delaware Agent, & on file in the office of Indian Affairs, being the list of the Delawares, who elect to remain in said "Indian Country", & to which list, it was provided, that any person may be added of other Delawares, with the consent of the Delaware Council, within one month after the signing of said Agreement or Treaty of said date. April 8th 1867.

This Agreement was ratified by the National Committee of the Cherokee Nation, June 11th 1867.

& on the fulfillment of certain Stipulations of said Agreement all Delawares receiving or agreeing were entitled to all the rights, immunities, & the same participation in the National Funds (& so other) as native Cherokees, were to become members of the Cherokee Nation, & the same rights were accorded to the Shawnees & Munsees as incorporated as native Cherokees.

Affidavit of
Antoine Gillis in
regard to enrollment as
a Delaware Indian.

Antoine Gillis being sworn makes the following
statement further in regard to his application
for admission & enrollment as a member of the
Delaware Tribe of Indians, now pending before
J. W. Wallace. Commissioner &c.

I am[illegible] respectfully state
that this is my first application for enrollment
as a member of the Delaware Tribe of Indians.
& I am[illegible] further state that said Tribe through
its Council has never taken any formal
action on my case, & therefore I have never
been rejected by the Delaware Council
& I distinctly deny the statement filed by
Chas. H. Journeycake & others filed before
Comr. Wallace in reference to this matter.
As to my Notes & my claim to Citizenship.
I herewith file the Statement of L. B.
Penyman. Prin Chief of the Creek Nation,
who has known me for several years (Ex. B)
I state the facts to be, that my son Chas. H.
Gillis intermarried with a Creek Indian by the
wife, Elizabeth Gillis & has always claimed to
be a Cherokee Indian by blood, & her applic-
ation for citizenship is on file before the
Dawes Commission asking for admission
with said Cherokee Nation. Their Notes
or Claims do not affect my Notes
in the least,

I also file herewith as part of this Statement
an order from R. L. Owen. U. S. Ind. Agent
of date April. 12th 1886. which shows that Chas.
B. Gillis, who is my son, was recognized as a
Creek Indian by the Hon. Comr of Ind. Affairs,
to the extent that he might litigate before the
Creek Courts. Said order is marked Ex. A. & made
part of this Statement.

I again refer to the proof on
file in my case as a whole, which fixes my
status beyond controversy as a Delaware
by blood & descent, & I have never sought
to be incorporated into any other Tribe of
Indians whatever, & this application now
pending before your Hon. Commissioner, is
the my formal application that I ever made
to be recognized as a Delaware, & my
reason for a failure to obtain such recognition
has been & is due to my negligence, lack of
education & want of proper notice of the
Treaty or Agreement between the Delawares
& Cherokees ~~Creeks~~ by which the
Delawares became incorporated into said Tribe,

Witness.
D. M. Wisdom

Antoine Gillis his X mark

Sworn to & subscribed before me, Dec. 18th 1889.

John M. Taylor Jr
U.S. Commissioner
for Eastern district
of Arkansas

Re: in the matter of
Citizenship of Antonio Gillis.

In the matter of citizenship
of Antoine Gillis et al

When the language of the Statute was that service may be had on the Director of a Railroad Corporation, that such language was permissive & directory, & not restrictive or mandatory, & hence service on a Nation Agent was sufficient. Wade on the Law of Notice, Sec. 1311. p. 685.

It was not due Notice. It was not such notice as the circumstances of the particular case & the situation of the parties required. & the matter therefore should be relegated to the discretion of the Court. (See same as above Sec. 1324. p. 661.)

An agreement between two tribes of Indians is not such an act of sovereignty as ought to deprive a member of either tribe of Citizenship.

Such an agreement is in no sense a judicial decision and is not the act of a Court.

Immigration so far as the question of Citizenship is concerned, is not a direct method allowing or permitting Aliens to become Citizens within certain time. It does not entitle the Natives as a citizen, but confers the right of certain privileges under the agreement which looks to their incorporation into the Cherokee Tribe of Indians. It imposes no arbitrary rule under such circumstances. with others remaining Aliens. It is within the discretion of the Court to study it, & as the law of naturalization public policy to liberalize. It terms.

No agreement between Tribes fixing a time for Registration can debar a citizen of either tribe from claiming citizenship, & the right to claim involves the right to prove citizenship. Gillis has sufficiently accounted for his lack of Notice, & his title to citizenship by blood is beyond question. His enrollment under the Act of Congress of date is a logical sequence of the facts of his case.

D. M. Wisdom.
Counsel for Claimant.

At la we Ind. T.
Jany 25th 1887

Mr. Antoine Gillis
Julia Ind. T.

Dr Sir—

Your application desiring enrolment as a member of the Delaware People now residing in the Cherokee Nation, and the accompanying papers therewith have been duly considered by myself and the Delaware Council. We who have been familiar with the history of the Delaware tribe from A during a long life recognise many inaccuracies in the statements that you have submitted. Which I now have neither time nor space to point out. Yet in case you should be of Delaware blood that fact would not entitle you to the rights claimed, There are a considerable number of Delawares—full bloods, and mixed bloods, who do not share our annuities with us and who have no rights to the same under our various treaties.

We therefore cannot consider favorably your request to become a member of our tribe

Respectfully Chas. Journeycake Chief of Delawares

Personally appeared before me this
23d day of Sept. A.D. 1889 Chas.
Journey Cake, C. H. Armstrong, and
Wm. Adams, who being duly sworn
state, they are fully acquainted
with the case of Antoine Gillis,
that the matter submitted by said
Antoine Gillis, has already been
passed upon by the Delaware Council,
and rejected by that body. Further
that said Antoine Gillis has failed
to prove, that he is entitled to
any consideration from the Tribe of
Delaware Indians, either on account
of Blood right or any other right,
And therefore we protest against his
enrolment as a citizen of the Chero-
kee Nation, based upon any claim
emanating from any rights as a
Delaware Indian—

Charles Journey Cake

C H Armstrong

William Adams

Subscribed and sworn to before
me this 23day of Sept. A.D. 1889-

John M. Wallace

U.S. Commissioner.

Tulsa Indian Territory

August 30th 1889

This day Personly appears
Before me James. B. Hastie of the Indian
Territory and States on oath that he is
Thirty nine years of age and that he Was
Born in St Clair County Illinoize and
that he resided and traded through
the Buthern Port of Illinoize for Twenty
odd years and he James. B. Hastie furthe
States that at intervills he was engaged
in Buying Walnut Lumber and that
he first meet A. Gillis on the old Sparta
& Belleville State road at a Saloon
Known as the Turner Saloon and that
he Got a Quainted with A. Gillis as
old Indian Gillis and he has known him
as such ever since as Being of Dellaware
decent

J. B. Hastie

Sworn and Subscribed to before me
this 30th day of Augst 1889.

Jno. Thedford
U.S. Commissioner in and
for the Western District of
Arkansas.

-Copy-

To the Honorable
The Secretary of the Interior-
Your Petitioner Antonie Billis
Respectfully represents, and on his
oath states- that his name is Antonie
Billis- that he resides in Leo-wee-ewo-
wee District Cherokee Indian Nation
Indian Territory- that his Postoffice
address is Tulsa Indian Territory-
that by occupation he is a farmer-
that he was born in Tee-Tee-Ka
in the State of Illinois- in the year
1821- and is 65 years old- that he
is a Delaware Indian by blood
and descent, from his mother-
that her maiden name was
Pascali- that her father this
petitioners Grand Father- name
was Batiste Pascali- and was a
full blood Delaware Indian
and spoke the Delaware language
was with the Delaware Indians
living a long time, and died
at Tee-Tee-Ka Illinois, and
was a Councillor and head
man of that portion or part of
the Delaware nation or tribe.
that were located and lived a
long time at and near Tee-Tee-Ka
Illinois-

Affiant states that to his

knowledge there were only two children born to his Grand Father. his mother Martha Pascall Gillis. and a boy named Louis Pascall. who died before he was twenty years of age. and unmarried.

Petitioner further states his mother spoke the Delaware language. and she exhibited all the Indian features temperament and characteristics. she was born. married and raised he family. at or near Kas-kas-ka Illinois, and died there in the year 1845.

Affiant states. his father was a Frenchman. his name was William Gillis. and who is now dead. Petitioner her further states. that the portion and part of the tribe, or nation of Delawares Indians, who lived at the above place, were allied by marriage. and long association with the French. who first came in Contact with the Delawares, before the articles of agreement and Confederation, of September 17-1778. were made

and entered into by Andrew and Thomas Lewis- Commissioners for and on behalf of the United States- of North America- of the one part. and Captain Whitey-Kill Buck, and Pipe- Chiefs and head men on the part of the Delaware nation. And that the Dellawares were at an early time as above mentioned- proselyted by the Catholic church Missionaries. sent from and supplied from the French Catholic church from Canada- that in Consequence the Catholic Missionary Priests introduced and adopted these Indians by giving them French Catholic names And discouraging the use and Continuance of the Indian names And introduced and forced to a general use. and to almost An exclusion- of the Dellaware language the Canadian French language-

Petitioner. states that in 1843. he married at Kaskaskia. to a French girl, by the name of Martha Rear. and lived with her until 1873- living with her as a wife 32 years. when she died at the

said place - leaving this petitioner and twelve children surviving seven of whom are now living - and whose names, ages and places of residence are as follows. John B. Willis 42 years old and lives in the Cherokee nation near Tulsa - Lewis C. Willis 36 years old - and lives at the same place with this Petitioner - Charles A. Willis 28 years old and lives in the Creek Indian Nation near Muskogee - Hattie Willis 24 years old - married to a man by the name of Frank Moore and lives with her husband at Red Fork Indian Territory - Maggie Willis - 22 years old - lives with this petitioner - David C. Willis 20 years old - and lives in the Creek nation Indian Territory - Daniel K. Willis 18 years old and lives with this petitioner

Petitioner further states he has examined the enrolled list of Delawares, made in February 18-1867 - showing the names and allotments of Cherokee lands East of 96° which is now on file in the Indian

Bureau at Washington D. C.
that he finds there enrolled
opposite number 171- the name
Tilly Pascall - allotment No. 300.
he recognizes this name and
man to be a relative of his
Grand Father - Batista Pascall -
but said Tilly Pascall - as this
petitioner is informed - is now
dead - and he is not able to
procure his statement in the
case - he further finds enrolled
opposite No. 321 - Mary Willis
Rogers - her enrollment 44 -
petitioner here recognizes his
half sister. And here presents
her sworn statement.
Petitioner further states that the
Delawares, as a nation, many
years prior to the making of
the treaty of 1866 - and other
treaties to move from Kansas
to the Indian Territory - and
there merge and obliterate the
Delaware nation of Indians -
became factious, and divided
on account of the difference
in religious teachings - one
Protestant and the other Catholic

and other causes disagreeing as to the internal government of the tribe or nation., and that this petitioner was, and is, identified with the Catholic and progressive party of the nation who are now in the minority. but this petitioner here avers he is a Delaware Indian by blood and descent and from his mother and has a right and ought to be allowed to occupy with the Delawares, with his family Each allotted a hundred and sixty acres. that portion of the Cherokee nation now allotted and occupied by the Delawares, And this petitioner further states, he never received the notice stipulated for by and between the Cherokee nation and the Delaware nation to elect to come in in thirty days time or forfeit all rights to have. receive and participate in the benefits of said treaty and allotment of land. if he had

this petitioner- would have
elected to come in- and join
the Delawares in the Indian
Territory- That said notice was
not just and fair to the Delaw-
ares and is not binding on those
who did not receive the notice
and did make the election-
and it was not at that time
a full and unanimous expr-
ession and ratification of the
Delaware nation of Indians-
without which this petitioner
is not bound and concluded-
This petitioner here presents
this to the Chief and Council
of the Delaware nation now in
the Indian Territory. Whereon
nation. East of 96 and prays
that the same be fully considered
and duly indorsed by the
said Chief and members of the
Council- the action which he
and they shall take in the prem-
ises- and prays that he and
his numbers of his family
here named be recommended
and certified to the Hon Secretary
of the Interior as Delaware
Indians. and that they be
allowed to be placed on the
Delaware Annuity treaty Roll
as Delaware Indians with

7

full rights benefits - privileges and immunities as such Delawares. And this Petitioner will ever pray &c.

Witnessed

James Laughlin
Wm Brisbey

(signed) Antonie his + Shields mark

Subscribed and sworn to before J. le. Harbour on the 4- of May - 1886. Notary Public for Montgomery County Kansas.

5 Cohn- 9

United States of America
Western Disirict of Arkansas } ss

On this day person-
ally appeared before me W. L.
Shuler- a Commissioner for
the United States District
Court in and for the Western
District of Arkansas. Jupiter
Choutedu - who being by me
first sworn according to law
says- That he is sixty seven
years old. That he lives
on Bird Creek Coo-wee-acoo-
wee District Cherokee Nation
Indian Territory. And his
Post office Address is Catoosa
Indian Territory - And by occu-
pation is a farmer - was born
in the State of Georgia in the
old Cherokee nation. Remained
there until he was near
ten years old, when he was
brought to the Creek nation,
and afterwards sold and was
the slave of Col. O. Choutteau
and remained in the service
of Col. Choutteau and his family
until he was set free under the
provisions of the treaties with
the five Civilized Tribes of 1866.
And that during the time I
affiant was such slave, he

was required to travel with his master Col. Chouteau - to and from the Indian Territory to St. Louis. Missouri - and that during this time he became in contact with Antonie Gillis - now living in the Cherokee nation near the town of Tyler Indian Territory - that this affiant frequently visited at the house of the said Antonie Gillis to take dinner with his master at a point on the route between St Louis and the Indian Territory - and at that time the said Antonie Gillis was a small boy with his father and mother there were other children in the family. but they were much younger, and smaller than this affiant - but this said Antonie Gillis was about the age of this affiant and naturally attracted towards each other and became friends and play fellows. Affiant states he passed to and from St Louis with his said master for the purpos of purchasing goods and returned twice in the year - in the spring and in the fall - and he is of the

belief he was at the house of
the father of Antonie Gillis
ten different times - that he
knew the father to be a
French man - and affiants
master was a French man -
And when this master and
the father of Antonie Gillis
were together they spoke
And conversed in the
French language - affiant
could speak French, and
could understand what
they were saying - when they
were talking to each other.
Affiant states at the several
times he visited the said
said Antonie Gillis's mother
and that she was reputed and
called a Delaware Indian
woman. And that she at all
times treated and regarded
the said Antonie Gillis as her

~~Sara~~ child and son. Affiant says now after many years he recognizes said Antonie Gillis to be the same person who was at that time a boy living with his father and mother- and this affiant from his long association with the Indians west- and his contact with different people in the west- he says that the said Antonie Gillis is a half blood French and Delaware Indian- Affiant states he has no interest of any nature and kind in any claim said Antonie Gillis may for Delaware Indian blood and descent-

(signed) Jupiter his + Ghouteau mark

witnessed by
C. A. Owen
William Heirdner

Subscribed and sworn to 14 day of Aug. 1884 before
W. L. Squier
U.S. Coms.

Seal

-Copy-

13

Osage Indian Reservation }
Indian Territory } SS.

Personally appeared before me Fred. Hoover- United States Indian Agent- at Osage Indian Agency Indian Territory- on this 23d day of April A.D. 1886. Peter Pernier- an Osage Indian- whom I know, and who lives on the Osage Indian Reservation in the Indian Territory- and who I know to be a creditable and reliable man, and who being first- by me sworn and on his oath states- that his name is Peter Pernier - that he is an Osage Indian man and he is fifty years old- and that he is by occupation a farmer- and his Post office address is Skiatook Cherokee Reservation, Indian Territory-

13

and that he knows Antonie
Gillis of Inds. a Indian
Territory - and has known
him intimately for four
years last past - he knew
William Gillis father of Antonie
Gillis from his earliest child-
hood, until he William Gillis
died - which was in the fall
of 1862 - at Kansas Ceity Jack-
son County Missouri - he was
a white man - said to be
French and Scotch descent
he came to Kansas city before
affiant was born - affiant
further states - he knows from
the statements made and
the general knowledge and
reputation among the
people in and about Jack-
son County Meissouri - and
Kansas city - that he William
Gillis married at Kas-Kas-Ka

Illinois - a Delaware woman
who was his William Gillis
first wife - that he left said
Delaware woman and one
boy, who was the son of said
Delaware Indian Woman
and William Gillis - about the
year 1840 - in the summer -
this boy came from Texas - Texas to
Illinois with a lot of United
States Government horses -
for Government and Indian
uses - at the time said William
Gillis lived at or near Kansas
City - Jackson County Missouri -
this boy remained there some
ten days or two weeks - it was
reputed and known and
stated, that this boy was the
only son of William Gillis, and
the Delaware Indian woman
and said William Gillis owned
and recognized this boy as his

15

boy - by this Delaware Indian woman -

Affiant further states - that from his own knowledge and long time Acquaintance with the said William Gillis - and from his knowledge of the history and pedigree of the said William Gillis - his Delaware Indian wife - and from the many and repeated Conversations this affiant has had - with him, Antonie Gillis - in the past four Years - this affiant has stated on his information and belief that the said Antonie Gillis is the same person who as a boy - or a young man came to William Gillis in Jackson Missouri. And that he Antonie Gillis is the only son of William Gillis - and the Delaware Indian Woman - which he

William Willis left in Kas. Kas-ka
Illinois before he-William
Willis- moved to Jackson
Meisouri- at or near Kansas
City Meissouri- Affiant further
states- William Willis- had anot-
her Delaware Indian woman
which he Cohabited with, and
kept on the Delaware Indian
Reservation- Wyandott Kansas
after he moved from Kas-Kas-ka
Illinois- and he had also
two children- from this Ind-
ian woman reputed, and
by him acknowledged,
as his Indian children-
both girls- half sisters of the
said Antonie Willis- one was
named Sophia Willis- she died
while young- where this affiant
cannot state- the other girls
name is Mary Willis- She
came to the Indian Territory

17

with the Delawares. and sett-
led. & married a man
by the name of Rogers. and
is now alive. So far as this
affiant knows. both of the
girls. to affiants best know
ledge and recollection
were recognized by the Del-
awares. Come with them to
the Indian Territory and
settled under the provsions
of the Cherokee Indian and
Delaware Indian treaties
East of 96°. in the Cherokee Country
Indian Territory. but at what
point this affiant can not state
Affiant states he has no interest
whatever in any claim the
said Antonie Gillis makes to rec
his rights with the Delaware
Indians.

witness
G W Roberts

(signed) Peter his + Perrier mark

Sworn to before
Fred Horton U.S. Indian Agt
April 23. 1896

State of Kansas
Montgomery County } ss

Mary Willis Rogers on oath states- she is about sixty years old- she was born in the State of Indiana- on Paonee Fork of White River- her fathers name was William Willis- he was a white man- now dead- he mother was a full blood Delaware Indian woman- her maiden English name was Mariah Love- she spoke no English- but spoke the Delaware Indian language- Affiant moved with her father from Indiana- through Illinois when she was very young, not more than three years old- and stopped and lived at or near Kansas city- with the Delaware until the Delawares moved from their reservation in Kansas, to their present home- with the Cherokees- in the Indian Territory- the father and mother forted before affiant came to Kansas city- the mother came afterwards but never lived with her father- affiant states she lived with her father- when they first came to

19

Kansas City. a black slave
woman kept house for her
father for two or three years,
afterwards Mrs. James, an
Aunt of William Gillis and
Mary Truce. Kept house for
William Gillis. Mary Truce was
a niece of William Gillis. they
were both white women - Mrs.
James died at William Gillis
house Kansas City. when this
affiant was about 12 years old
and then affiant was put in the
Baptice Indian Mission school
and from that time affiant never
lived at William Gillises house
at Kansas City Missouri - as
Mary Frost had a notice a-
gainst affiant. Affiant further
states that before William Gillis
married her mother he had
a Delaware Indian woman
which he left behind. She
came to the Delaware Indian
Reservation but never lived
with William Gillis - that her-
affiants mother never lived
with William Gillis at his home
in Kansas City but both of these
Indian women stayed and

lived with the Delawares on
their reservation Wyandott
Kansas. Affiant states she had
a half sister - younger than the
affiant. Her name was Sophia
Willis - the mothers name, in
Indian language, was Pe-gwun
english - "Cat" William Willis
took Care of Sofia, the same
as the affiant - and brought
her, and affiant to the Cherokee
Country Indian Territory,
when the Delawares moved from
Kansas - She died in the Indi-
an Territory - about twenty five
miles south of Coffeyville
Kansas - was never married
and left no family - Affiant
states Antonie Willis - the son of
William Willis - is the boy - as she is
informed and believes - by the
Delaware Indian woman who
he William Willis, lived with
and left behind in Indiana
or Illinois - Antonie Willis never
came to live with William
Willis, at Kansas City Missouri -
he - Antonie Willis - is a number
of years older than this affiant
and if William Willis had taken
him to Kansas City - he could

21

not kept him - Antonie Killis - at his home in Kansas Katy on account of the prejudice and hatred Mary Frost expressed against all of William Killisses Indian Children. William Killis had no white children - and never, to this affiants knowledge and information married any white woman - all his wives were Dellaware Indian women. and all of his children Indian children - affiant states she never saw Antonie Killis - until after she moved to the Cherokee Country with the Dellawares, and about three years part - that from his conversation and Connectacegent and history - the Antonie Killis - gives of the Dellaware Indians. and her family - her father and the relatives, she does believe - and is fully convinced that said Antonie Killis is the only son of William Killis, and the Dellaware Indian Woman, which was he. William Killis parted from - and left he had - in

Indiana or Illinois - and that Antoine Gillis is a Delaware Indian, by blood and descent from his said mother - as he Antonie Gillis alleges in his petition - and that he Antonie Gillis is a half brother of this affiant. And further this affiant saith not.

(Signed) Mary Gillis her Flogus mark

Witness
L. O. Smith
J. D. Gilbo

} Subscribed and sworn to, on the 4th day of May. 1886.

J-le Harbourt Notary Public for Montgomery County Texas -

We the undersigned. Chief Councilmen. and head men of the Delaware Indian tribe of Indians on this day of 1856 in Council assembled. at their Council house. in the Cherokee Nation Indian Territory. at at a session thereof. convened for the purpose of transacting and enacting the public business for the good and welfare of the said Delaware tribe of Indians. as is lawful and customary with the said tribe. and the said Council at said session had presented before it the application of Antonie Willis. to be admitted with all the members of his family. as set out in his application. as Delaware Indians. praying to be recognized and by the Chief and Council. placed on the Delaware Indian treaty annuity payment roll. and thereby from hence, be adopted members of the Delaware Indian tribe or nation. Now therefore, after the Chief, and Council are fully informed and advised the contents of said application, and the statements of the witnesses, accompanying the same

24

and the said application and statements thereof were by the Chief. and Council fully Carefully and duly Considered debated and read- and all the members of said Council fully informed all the contents thereof- it is by the Chief, and Council, unanimously agreed and adopted by a resolution and motion, thereof- finding, and by the Council deciding, that the said Antonie Gillis - and his family as named and enumerated in his said application - are Dellaware Indians - and that said Antonie Gillis, is a descendant - and son of William Gillis, a white man, but his mother was a Dellaware Indian woman of full blood; with whom said William Gillis lived and Cohabited as his wife, at the time, and before the time of the birth of said Antonie Gillis. And that he, the said Antonie Gillis, is a half brother of Mary Gillis' Rogers - both of whom, are from the same father, but two mothers - but both of their mothers were Dellaware Indian

women- to whom said William Gillis was married to, and lived with, before, and at the time of the births of the said Antonie Gillis, and Mary Gillis Rogers- And the Council show, that the said Mary Gillis Rogers is an admitted, and recognized Delaware Indian- and her Enrollment number, as appears on the Delaware enrollment of February 18"/1867- is number 321- And her allotment number is 44- her husbands name was now dead- Stephen Rogers- his enrollment number is 922- Allotment number- 45- on said Roll- In Consideration of the above, and all the facts here stated, the Chief, and Council declare, and do regard this application favorably, and recommend to, and request the Honorable Secretary of the Interior, to place or caused to be placed, the names of Antonie Gillis, and Lizzie Gillis- his wife- John Gillis, wife and Children- Lewis Gillis wife and Children- Charles H. Gillis- wife and children- Hattie Gillis Moore- husband and Children- Maggie Gillis

24

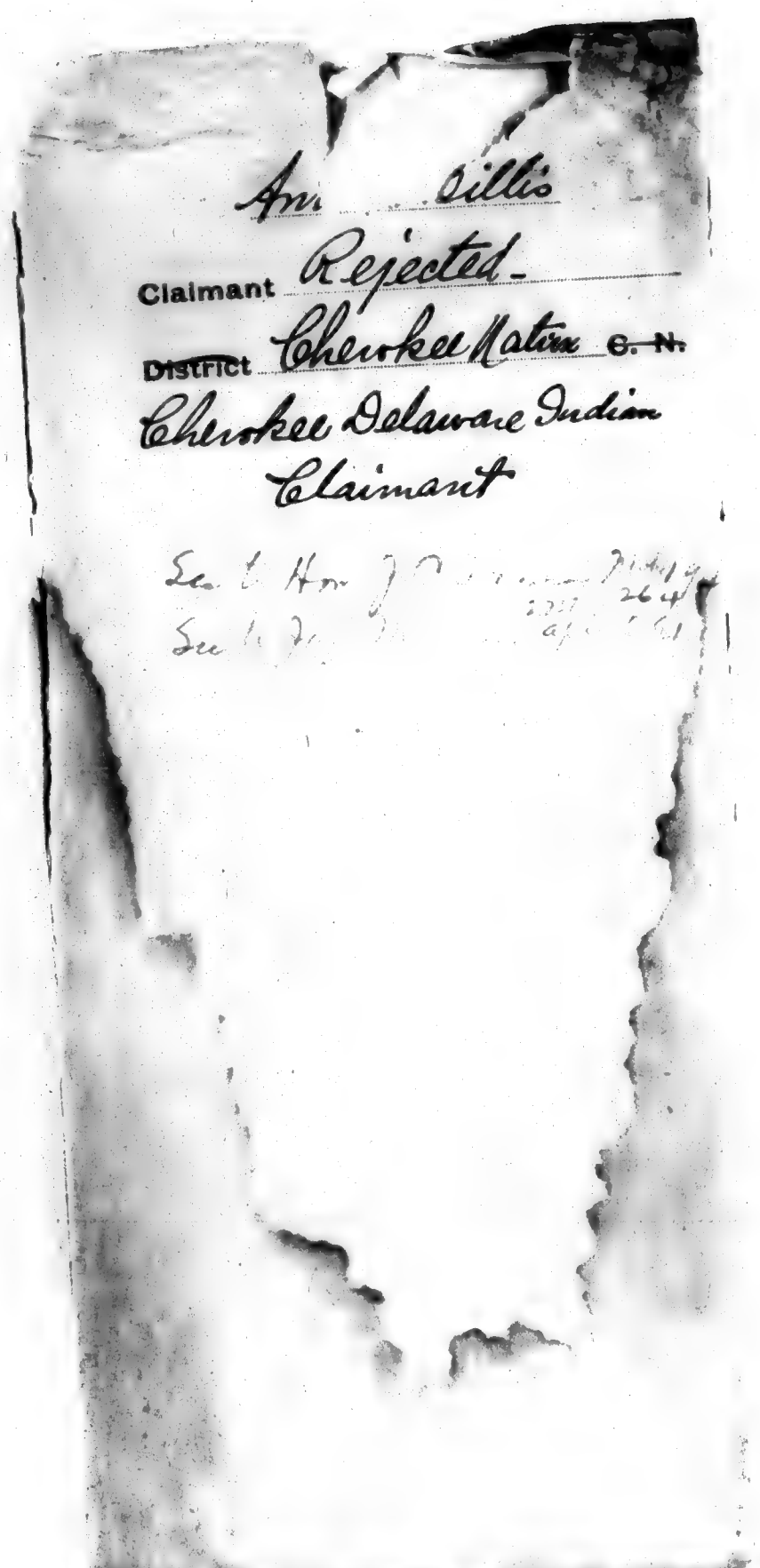
husband and children David
Gillis wife and children, and
Daniel W. Gillis wife and
children - on the Delaware
Indian treaty annuity pay-
ment roll. and that from
hence the above named be all
admitted adopted and recog-
nized by the Delaware Indians
and Government of the United States-
as Delaware Indians, in the
Cherokee nation - Indian Territory.
with all rights, benefits, privileges
and immunities of a Delaware
Indian - except, to acquire and
occupy land - in the Cherokee
nation, Indian Territory. until
the assent of the Cherokee Indians
is first had and obtained, by an
Act, or resolution of the Cherokee
national Council - And this Coun-
cil request that the United States
Indian Agent at the Union Agency
Muskogee Indian Territory, be
informed advised and
directed to enroll the abovenamed
on the said Delaware annuity
treaty payment roll - and make
such payment to them and each
one of them, at the next Delaware

payment. and forever afterwards
during their natural lives. in
Compliants with the terms stipula
tions and articles. and provisions
of the treaties made and in force
between the United States Governm
and the Delaware Indians.
With due respect, the Councillors
Each attest and sign their
Names. as evidence of the
transmittal of their proceedings
at this time and date hereof.

Witnesses

Names of the Chief and
Councillors

Antonie Gillis
application to the
Chief and Dttawas
Council for adoption
of himself and family
page. 1- to 8-
Statemt of J Chouteau
page -9 to 12-
Peter Pernier
page. 13 to 18-
Mary Gillis Rogers
page 19 to 23
2452E
form for Chief and
Council to sign


Am. Dillis

Claimant Rejected

District ~~C. N.~~ Cherokee Nation

Cherokee Delaware Indian

Claimant

Sec. 5 Act [illegible] 1866

Sec. 6 Act [illegible]

End

Betty C. Winn et al.

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

First. We analyze Article I, and Section 3, Cherokee Constitution, and connect it with Article III, Section 5.

(a.) The LANDS of the Cherokee Nation are declared to be and remain common property.

(b.) Upon the question, "To whom are they common?" this Article and Section is silent.

(c.) An effort [illegible] to in Article III, Section 5, to answer the question raised by Article I, Section 3, which says: The [illegible] by ALL, FREE WOMEN, except the African race, who may have been living together as man and [illegible] shall be entitled to all the rights and privileges of this Nation. It [illegible] question springs a question.

[illegible] to be citizens of the Cherokee [illegible] definition will determine the [illegible] whom are the lands of the [illegible] ALL NATIVE born Cherokees. The phrase "all native born," is both numeral and descriptive, and enumerates and describes the term Cherokees. All Cherokees of a particular class are therefore pointed out to whom the lands of the Cherokee Nation are common. This class is defined by the phrase "native born," and at once springs the question who are native born Cherokees. The word "native" as an adjective is from the Latin word Nativus. Nativus is from Nascor, which is a verb, signifying to be born. The verb "to be born" has no reference to the place of birth, nor can it have. A native born Cherokee is therefore one who is born with Cherokee being, without any regard to the place of birth. Mr. Webster accordingly defines the adjective "Native," First: Produced by nature, original, born with the being. Second: Produced by nature; not fictitious or artificial. Third: Conferred by birth. [See Webster's Unabriged Dictionary.]

The word Native, when used as a noun only, can be limited to imply a birth within any specified limit or place. Therefore if the constitution in hand, were want to limit births within the limits of the Cherokee Nation, [illegible] the lands thereof are common property to those born within such limits, it would have read "Cherokee [illegible] instead of "Native born Cherokees." That such has been the conception by the authorities until very recently [illegible] of their constitution, (Article III, Section 5,) will be amply attested by their records which show many instances [illegible] political and communal rights of persons proving Cherokee blood from almost every State in the Union.

Article I, Section 3, [illegible] "but the improvements made thereon, and in possession of the citizens of the Nation are the exclusive and indefeasible property of the citizens respectively, who made or may rightfully [illegible]."

[illegible] shown all native born Cherokees shall be taken and deemed to be citizens of this Nation. Native born meaning born with the being--conferred by birth--every man or woman who has Cherokee blood, conferred by his or her birth must be taken and deemed to be, and are citizens, with EXCLUSIVE and INDEFEASIBLE personal property, in the improvements made or rightfully possessed. By the provisions of the constitution of the Cherokee Nation, the land of said Nation is now, and shall remain common to such persons as are or may be produced by nature with Cherokee blood or being, and the improvements thereon are exclusive and indefeasibly theirs by virtue of the same constitution. That which is exclusive cannot be ENCROACHED upon, and that which is indefeasible cannot be defeated. If your Honorable body feel bound therefore to respect "all laws" of the tribe, much more the fundamental law, and the case would seem made up; especially is this true viewed in the light of the practices of the authorities of this Nation which emphasize the position assumed. It is here alleged that the practice heretofore has been upon the existence of Cherokee blood proven, to admit, and without such blood to reject, and if fraud was charged in any case admitted, the effort has uniformly been to consider whether or not the proof submitted to establish the blood, was or was not fraudulently obtained.

It is further alleged that the decisions of the tribunals--to whom have been committed this matter of [illegible] upon the existence of blood proven, and without any reference to the place where [illegible] Nation [illegible] the records of such [illegible]

[illegible] for admitting the citizens, and [illegible] provision of the constitution being manifest there is no authority vested in the Cherokee Nation by their constitution to expatriate a Cherokee Indian whether he be in or out of said Nation, and [illegible] improvements made or rightly acquired by any native born Cherokee, or by any Cherokee native, as the said decisions of the tribunals [illegible] to remain common property) must be held as the exclusive and indefeasible property [illegible] Cherokee natives.

It is further alleged that [illegible] is out of harmony with the practices, customs and usages of the [illegible] with the decisions of said tribunals [illegible] the United States and with the laws of the congress of the United States and with the rulings of the Interior Department and with the courts as well.

[illegible] this objection will not be considered in this paper, but doubtless will be discussed [illegible]

Respectfully submitted by

N. J. CRAWFORD.

POOR ORIGINAL -
BEST AVAILABLE COPY

No. 1850

Betty Dillman et al

vs

Cherokee Nation

Brief

FILED SEPT. 1896

A. S. McKENNON

COM'R

M. M. Edmiston

-LAWYER, Vinit

Before the Honorable, the Dawes Commission

Betty Dillenn et-al
vs
The Cherokee Nation
} No. 1850
Brief.

The evidence shows that principal peti-
tioners father, John Jones, was a recognized
Cherokee Indian in Tennessee, and shown to be
on the rolls; that he moved to this country
about 70 years ago, and up to date of his death
was recognized by the Cherokee Nation D.T. as an
indian and his name should appear on the rolls

That Mary Hobbs, sister of principal peti-
tioner, was the mother of petitioner Isaac Hobbs
and petitioner, Betty Dillenn, believes that she
and her sister Mary Hobbs, deceased, have been
enrolled with the old settler Cherokees in the
Cherokee Nation D.T.

John Jones might as a Cherokee were never
[illegible]
has long resided and now resides, with the
petitioners in the Cherokee Nation

The petitions are respectfully submitted

W. M. Edmiston
Atty. for Plffs.

POOR ORIGINAL -
BEST AVAILABLE COPY

Before the Honorable, the Dawes Commission

Betty Dillum et-al
vs
The Cherokee Nation
} No. 1850
Brief

The evidence shows that principal petitioners father, John Jones, was a recognized Cherokee Indian in Tennessee, and moved to this country about 70 years ago, and up to date of his death was recognized by the Cherokee Nation I.T. as an indian and his name should appear on the rolls

That Mary Hobbs, sister of principal petitioner, was the mother of petitioner Isaac Hobbs And petitioner, Betty Dillum, believes that she and her sister Mary Hobbs, deceased, have been enrolled with the old settler Cherokees in the Cherokee Nation I.T.

John Jones rights as a Cherokee were never questioned either by the old or new Cherokee

has long resided and now resides, with the petitioners in the Cherokee Nation

The petitions are respectfully submitted

W. W. Edmonson
Atty. for Plffs.

POOR ORIGINAL -
BEST AVAILABLE COPY

End

Joseph A Graham et al

No 1861

Jos. A. Graham et al

vs

Cherokee Nation

Brief

FILED Nov 1 1895

A. S. McKENNON

M. M. Edmiston

-LAWYER, Vinita,

Before The Honorable, The Dawes Commission

Jas. A. Graham et al
vs
Cherokee Nation
} No. 1861
Brief

The ancestor Wm. Turner of Pa. was a recognized Cherokee Indian and lived on the Indian reservation in Pa.

The applications are respectfully submitted.

M. M. Edmiston
Atty. for Plffs.

End

Daniel A. Grounds


Room in the home
of David A. Russell
Cherokee

Affidavit

Columbia County
State of Arkansas

Magnolia
Sept 20-1876

Now Comes John A Reaves
Before me An acting Notay Pub for the and
in the County and State aforesaid — First
Being Duly Sworn — Deposeth and Says
I am 74 years Old. and live in the County
and State afore said. I am personally acquainted
with Daniel. A Reaves Lake. C. Wilson. Arch Reaves
Sullivan Clarrie. J. Richards and Harry. M. Reaves
and Know them all to be Decendants of Susan
Reaves (Nee Hunter) who was my Grand Mother
and a Cherokee Indian By Blood My Grand
Father William Reaves and Grand Mother
Susan Reaves (Nee Hunter) left the Old
Cherokee Nation East of the Missippi River as
they was afraid to stay there. and Came to this
State. My Grand Mother Susan Reaves (Nee Hunter)
lived with My father. Henry D. Reaves her Son
many years before she died I have herd her
frigumtly Speak of Her Grand father Wolf and
Said he was Cherokee Indians by blood and further
Stated that She was Related to the Drew Family and
that they was Cherokee Indians by blood. and I have every
Reason to belive that I have Cherokee Indian Blood
in My Veins and I fully Belive yours above
Named Pititioners to be Cherokee Indians by
Blood. as I Know they are Decendants of William
Reaves and Susan Reaves (Nee Hunter) My Grand Father
and Grand Mother. I Know My Grand Mother

Susan Reaves (nee Hunter) Died in the year
1840. — I am a Brother to George W. Reaves (Dec'd)
Henry Green Reaves and Harvy W. Reaves — and
that my Father Henry C. Reaves was a brother to
John Reaves. Jim Reaves Henry Green Reaves and
His Sisters Names was Jane Wilson (nee Reaves)
Clarinda Knox (nee Reaves) Rebecca Bell (nee Reaves)
all was Children of Grand Father William Reaves
and Grand Mother Susan Reaves (nee Hunter)
who was a Cherokee Indian by Blood. — I have
never applied for my Citizenship. as I thought it
was useless. As Brother George W. Reaves and
Brother Harvy W. Reaves Both applied through
the federal Courts. at Ft Smith and their
Papers went from there to Washington City. and
Returned with the Seal upon them. They was
then turned over to the Cherokee Council but
for Some Reason they was never heard. we
called for the Papers But they the authorities
Said that the Papers was not there and that
they was Misplaced Some where — in witness
whereof I hereunto Set my hand and Seal
Attest R. Emerson John A. X his mark Reaves —
E. A. Peffley

Subscribed and Sworn to before me this the 26 day
of September 1896 R. Emerson
Act. Notary Public
My Commission will Expire Nov 21/1897

Magnolia Columbia County
State of Arkansas

This is to Certify that John A. Rogers is Regarded with all his Nabors as being Truthful and Honorable Citizen and Regarded as having Indian Blood in his veins

This Sept 26 1896

R. J. Emerson
Act Notary Pub

My Commission will Expire Nov 21st 1897

Magnolia Columbia County
State of Arkansas

This is to Certify That the three three foregoing Pages are Identically the Same as the Original.

R. J. Emerson Notary Public
My Commission Expires 11/21/97

Magnolia Columbia Co Ark

State of Arkansas

This is to Certify that I Daniel A. Graumo has this Day Registerd in the Office of the Cherokee nation. I. T. a Certified Copy. of the original affidavit Made by John. A. Reaves. in behalf of Daniel A. Graumo as Applicants Clara B. Graumo Lake C. Wilson Arie Ann Sullivan Clarie J. Richards and Harry W. Reaves Applicants for Citizenship in the Cherokee Nation I. T. Daniel A. Graumo

Subscribed and Sworn to before me this the 26- dy of Sept 1896

R L Emerson
Notary Public

My Commission will expire Nov 21st 1897

End

Cedella M Gurley

State Of Arkansas } Affidavit-
County of Carroll }

I Cedella M. Gurley of the Town of Carrollton in the County of Carroll and State of Arkansas being duly sworn according to law deposes and says that her full name is Cedella Melvin Gurley and her Father's name was James Harrison Lipps and he James Harrison Lipps was a son of Frances Lipps and she Frances Lipps was a daughter of Rachael Norris and she Rachael Norris was a daughter of Henry Chambers and he Henry Chambers was a Cherokee Indian to the best of My Knowledge and belief so help me God

Cedellia m. gurley

Subscribed and sworne to before me this the 29th day of Sept- 1896

R. T. Swor N. P.

My Comm Ex Sept- 20-1898

End

Lucy A. Harper et al

REGISTRY RECEIPT.

Post Office at South McAlester, Ind. Ter.

Registered Letter / Parcel No. 140 Rec'd SEP 2 1890 189

of I N Foster

Lucy A Harper

addressed to Saml Mayes

Tahlequah I T

M A Potter P. M.

1039
C-T #61

UNITED STATES OF AMERICA,
Indian Territory,
Central District

I W Gentry Jr being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of [redacted] Potts postmaster, at South McAlester Indian Territory to Samuel Mayes Principal Chief Cherokee Nation, a true and perfect copy of the application for admittance and enrollment by the Dawes Commission, to citizenship in the said Cherokee Nation of Lucy A Harper et al

Petitioners
Lucy A Harper 1175
Geo B Stone
John D Coe
Etta Anderson
Ernest Elizabeth Lawrence
Wm A Coe & Lucy Davis

Affidavits
John Ross
Thomas White
J A Stone
J B Roberts
Lucy A Harper
E J Andrews
J J Arnwitt
E T Embree

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto attached to be used in support of said petitions.

T. V. Foster Jr
Attorney for Petitioner

Subscribed and sworn to before me this 7 day of [illegible], 189 6

Jos. J. Pittman
NOTARY PUBLIC.

1939.

1039
C-T #61

UNITED STATES OF AMERICA,
Indian Territory,
Central District

T. N. Foster Jr being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of [redacted] Porter postmaster, at South McAlester Indian Territory to Samuel Mayes Principal Chief Cherokee Nation, a true and perfect copy of the application for admittance and enrollment by the Dawes Commission, to citizenship in the said Cherokee Nation of Lucy A Harper et al

Petitioners
Lucy A Harper 175
Geo B Stone
John D Coe
Etta Anderson
Ernest Elizabeth Lawrence
Wm A Coe & Lucy Davis
Affidavits
John Ross
Thomas White
J A Stone
J B Roberts
Lucy A Harper
E J Andrews
J J Annewett
E L Embree

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto attached, to be used in support of said petitions.

T. N. Foster Jr
Attorney for Petitioners

Subscribed and sworn to before me this 7 day of [illegible], 1896

[illegible]
NOTARY PUBLIC.

End

Sarah Jane Harris

=

POOR ORIGINAL -
BEST AVAILABLE COPY

DEPARTMENT OF THE INTERIOR,

Indian Affairs.

No. 30,477, Indian Office, 1893.

Inclosure No. 2/.

Sraah Jane Harris,)
vs.)
Cherokee Nation,)

BRIEF FOR THE CHEROKEE NATION.

---o---

I. Demurrer to jurisdiction.

This demurrer was considered filed as in the other cases.

For authorities and argument in support of it, your attention is [illegible] Flippen [illegible]

---o---

Inspector Duncan, in the investigation, decided that this case did not come "within the scope of his instructions" but only reported the testimony taken in the case.

Anna Daniels says that "Susan Wilcox was generally reputed to be the sister of Jim Brown", but on cross-examination says " I always heard she was his half-sister", and does not seem to be positive.

Sallie Holt Miller, a colored girl, knew something of claimant's mother wandering around in Flint district.

Mrs. Harris, claims her real father was Holt and not Keys, but this establishes nothing. See enclosure No. 21.

If she was ever recognized as a citizen in the Cherokee Nation, she could have proven it by hundreds of our citizens; and if she has a "meritorious claim" as reported, she should go before the proper tribunal, now our Council, with witnesses to substantiate the facts alleged.

She failed to do this before the "Adair Court" in 1887, and was rejected.

The statement by counsel that no Court has been provided since 1871, for a hearing of such cases, when so many laws providing for the establishment of tribunals is on file in Inclosure No. 1, putting it mildly, is most remarkable. As before observed thousands have been admitted by Council and Courts, and [redacted]

[redacted]

We fear much prejudice has existed heretofore because of the mis-statements of attorneys for this class of people.

Respectfully submitted,

W. W. Hastings

Attorney General for the Cherokee Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY



C D

Mary Jane Harris,

Vs. Fort Smith, Aug. 5, 1893.

Cherokee nation.

Report of C. C. Duncan , U. S. Indian Inspector, in t he above stated case.

Sir:—

This case I do not exactly consider within the scope of my instructions, but it being pressed upon me by the importunities of applicants who are now about to removed from their homes, I have taken the testimony, which, together with the petition, I forward to the department for such direction as you may see proper to give it.

It is manifest that Mrs. Harris has a meritorious claim to citizenship in the Cherokee Nation.

Respectfully submitted,

Hon. Sec. Interior. C. C. Duncan
U S I Insp-

Mary Jane Harris

Vs. Vinita, July 28, 1893.

Cherokee nation.

H. H. Hubbard, and W. J. Watts, attorneys for Mrs. Harris.

W. W. Hastings , Solicitor General, attorney for the Cherokee nation.

Ann Daniels, sworn, and testified:-

I have known Mary Jane Harris about 10 years. Knew Susan Wilcox in the old Nation at Jim Browns on the Tennessee River in Hamilton county, Tenn. I am 71 years of age. Susan Wilcox was generally reputed to be a sister of Jim Brown. Brown was a Cherokee, and was my mother's uncle. I was just a child. I came from the old Nation in 1838. I lived 20 or 25 miles from Susie Wilcox.

CROSS EXAMINATION.

I always heard she was his half sister.

Sallie Holt Miller , sworn, and testified;

I live in Vinita. Am 39 years of age. Knew Susan Wilcox. She was the mother of Mrs. Harris. William Holt owned me, and he was a Cherokee, and was the father of Mrs. Harris. We lived in Flint district, and it was said by all that he was a Cherokee. I knew old Susan Holt in the Flint District . She had no home but went around in the district.

Mary Jane Harris, sworn and testified:--
My mother was Susan Jane Wilcox. Some called her Susan Holt.

Keyes was called my father, but my real father was William Holt, Jr., though I always went by the name of Keyes. I was born in the Cherokee Nation. Out of the Nation from 7 years of age until 1879. I am now 40 years old. Was recognized as a Cherokee until I married Harris. I never drew money, but my mother and grand mother did, and their names are on the roll.

POOR ORIGINAL -
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cherokee Nation,.

Indian Territory,.

Cooweescoowee District,.

In the matter of the claim of Mary Jane Harris,formely Mary Jane Wilcox,to Cherokee Indian citizenship in the Cherokee Nation Before Hon.C.C.Duncan.United States Indian Inspector and special commissienor,.

"Application of Mary Jane Harris:

Now comes the said Mary Jane Harris to me well known,and states on oath that she is a person of cherokee Indian descent and that she is a cherokee Indian by blood,

That she was born in the Cherokee Nation Ind.Ter.that she is 42 years old.that she is the daughter of Susan Jane Wilcox,(alias Holt, or Keyes)who was a cherokee Indian woman,and resided in the cherokee Nation Indian Territory. up to the braking out of the Rebellion in the year of 1861.That her mother was a reconised citizen of the cherokee Nation,and enjoyed all the rights that any other citizen enjoyed or possessed,at that time. That at the commencement of said war,the said SusanJane Wilcox left the cherokee Nation,and carried affiant with her to Ft. Smith Ark,.where the affiant lived with her mother the said SusanJane wilcox(or Susan Jane Holt as she was some times called)until her marriage to one Thos. M .Cass, a white man, by whom affiant has three children, named as follows viz:Iddo.C.Cass,age about twenty five years, second one Cora B.Cass who has intermarried with one Albert Skelley,a white man,and the said Cora B. has two sons, named, Charles Lewes Skelley age 3 years,and Joseph Albert Skelley, age 1 year,and her youngest childs name is Lewis B.Cass,about 20 years old.

Affiant futher states that about the year 1879 she returned to the cherokee Nation,and settled in the Town of Vinita in cooweescoowee District where she has resided continuously ever since? That she has bought and sold Town lots and improvements.and has been in business of various kinds in said Town of vinita.has sent her children to the cherokee schools of which they had full benefit up to the time of her marriage with her present husband one Joseph R Harris a white man,after which they was denied the benefit of an Education in said schools.Affiant futher states that she has settled on,and now occupyes a farm consisting of about 200.acers of land fenced and in cultivation,upon which she has plaatnted an orchard of five hundred

fruit trees,bearing improved fruit of all kinds ,with two goods wells of water ,two dwellings houses,barns and out buildings.worth in all $5000.00.)five Thousand dollars ,said farm and improvements are located five miles west of vinita in said district,.Affiant Ignorant of her treaty rights as advised to apply and did apply to the Adair citizenship commission court to have her rights passed upon by that commission ,as she was informed that was necessary in her case, she did apply before said court and her application was adversely decided,and her name placed as she understood it upon the intruder list therein Therefore being a native born cherokee ,and long residing in and never having forfeited her citizenship in the cherokee nation ,by any act of her own,now claims all her rights,priveliges and immunities as she is guaranteed the same under the provisions of the constitution of the cherokee Nation,and under the existing treaties between the said Nation and the United States.

and that she with her said children viz:Iddo C.Casseora B. Bass now Skelley, Lewis P Bassand her grand children Charles Lewis Skelley,and Joseph Albert Skelley.be declared entitled to full citizenship.in the cherokee Nation,by virtue of her cherokee blood, her long residence and former admission to such citizenship, and subsiquent denial thereof by the Adair court.

Mary J Harris

Indian Territory,
1st Judicial Division,.

Personally Appeard before Me J B.Merrell a Notary public for and within the 1st Judicial Division of the I.T. Mary Jane.Harris and after being first duly sworn states on oath that the foregoing and within is true,.

subscribed and swoen to before me this the 29th of July 1903,.

J B Merrell
Notary Public

Department of the Interior,

Indian Office.

No. 30,677, Indian Office, 1898.

Inclosure No. 21.

Sarah Jane Harris,

vs.

Cherokee Nation.

Brief for plaintiff.

All that can be said in this case is to earnestly urge that some action shall be taken by the department which will enable her to establish the "meritorious claim to citizenship in the Cherokee Nation" which the Inspector says he finds from the evidence that she has.

Unless this is done she will never be recognized as a citizen. Born in the Nation, child of a citizen of the Nation, her rights never seem to have been questioned until she has acquired a large amount of property and has intermarried with a white man.

Whether her offense was the acquisition of property, making a large and valuable improvement, or the marrying of a whiteman, or both, and the Cherokee law allows both privileges to its citizens, we cannot tell.

We submit that the decision against her of the Adair [illegible] should not exclude her from [illegible] of her rights and her property because it was within jurisdiction of the subject matter, she not being shown to fall within any of the classes that Commissioner was entitled to act upon.

Unless the department [illegible] such cases as this

there is no relief this side of Congress, and enough has been developed in the various controversies and investigations over thisfalsecitizenship cases to demonstrate that there no such law ever yet been provided,since 1871, and what is likely to be provided by the Cherokee Nation by which there can be a fair hearing and just determination of applications for citizenship.

That the executive authorities have warranted us [illegible] with the Department in creating a tribunal which would impartially try and honestly decide these cases,is shown by the letter of Honorable Commissioner Morgan of July 17,1888, see ex. Doc. No. 86,Senate 52d Congress,1st Session,pp. 22,23,27

We Respectfully ask that such order be made in said case as will give the claimant an opportunity to establish her Cherokee claim to citizenship in the Cherokee Nation, and save to her the property and [illegible] and enjoy the same.

[illegible],

Denison & Denny

H.E.Bidwell,

Attorneys for Claimant.

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BEST AVAILABLE COPY

DEPARTMENT OF THE INTERIOR
RECEIVED
7002
SEP 14 1893
INDIAN DIV.

Department of the
Interior.
Indian Affairs.

No. 30,477, Ind. Office
1893, Inclosure No. 21.

Sarah Jane Harris
vs.
Cherokee Nation.

Brief of Claimants.

Thos. Marcum,
Duncan & Money,
H. H. Hubbard,
Attorneys for Claimants.

30803 DELIA OFFICE Index No. 5 1894

Department of the Interior,

Indian Office.

No. 30,477, Indian Office, 1893.

Inclosures No. 21.

Sarah Jane Harris,
vs.
Cherokee Nation.

Brief for claimant.

All that can be said in this case is to earnestly urge that some action shall be taken by the Department which will enable her to establish the "meritorious claim to citizenship in the Cherokee Nation" which the Inspector says he finds from the evidence that she has.

Unless this is done she will never be recognized as a citizen. Born in the Nation, child of a citizen of the Nation, her rights never seem to have been questioned until she has acquired a large amount of property and has intermarried with a white man.

Whether her offense was the acquisition of property, making a large and valuable improvement, or the marrying of a whiteman, or both, and the Cherokee law allows both privileges to its citizens, we cannot tell.

We submit that the decision against her of the Adair Commission should not conclude her and debar her of her rights and her property because it was without jurisdiction of the subject matter, she not being shown to fale within any of the classes that Commission was authorized to act upon.

Unless the Department determines such cases as this

POOR ORIGINAL -
BEST AVAILABLE COPY

there is no relief this side of Congress, and enough has been developed in the various controversies and investigations over this citizenship cases to demonstrate that there no wah has ever yet been provided,since 1871, and none is likely to be provided by the Cherokee Nation by which there can be a fair hearing and just determination of applications for citizenship.

That the Cherokee nation has refused to join hands with the Department in creating a tribunal which would [illegible] partially try and [illegible] by the letter of Honorable Commissioner Bergen of Feb'y 17,1893, see ex. Doc. No. 56,Senate 52d Congress,1st Session,pp. 35,36,37

We Respectfully ask that such order be made in this case as will give the claimant an opportunity to establish her "meritorious claim to citizenship in the Cherokee Nation," and save to her the property she has accumulated and submit the case.

Thos.Marcum,

Denison & Maxey

H.H.Hubbard,

[illegible]

POOR ORIGINAL -
BEST AVAILABLE COPY

DEPARTMENT OF THE INTERIOR,
RECEIVED
SEP 14 1893
INDIAN DIV.
7002

Department of the
Interior,
Indian Affairs.

No. 30,477 Ind. Office
1893, Inclosure No. 21.

Sarah Jane Harris
vs.
Cherokee Nation.

Brief of Claimants.

Thos. Barnum
Denison & Maxey
H.H.Hibbard,

Attorneys for Claimants.

30803 INDIAN OFFICE Inclos. No. 3 1894.

7002

Department of the
Interior.
Indian Affairs.

No. 30,477, Ind.Of.1893.
Inclosure, No. 21,

Sarah Jane Harris
vs.
Cherokee Nation.

Brief of Claimants.

Thos. Marcum
Denison & Maxey
H.H.Hubbard,
Attorneys.

30803 INDIAN OFFICE Incloe. No. 4 1894.

Department of the Interior,

Indian Office.

No. 30,477,Indian Office,1898.

Inclosures No. 21.

Sarah Jane Harris,
vs.
Cherokee Nation.

[redacted]

All that can be said in this case is to suggest

"I only urge that some action shall be taken by the department which will enable her to establish the "meritorious claim to citizenship in the Cherokee Nation" which the Inspector says he finds from the evidence that she has."

Unless this is done she will never be recognized as a citizen. Born in the Nation,child of a citizen of the Nation,her rights never seem to have been questioned until she has acquired a large amount of property and has intermarried with a white man.

[redacted]

making a large and valuable improvement,by the marrying of a whiteman, or both, and the Cherokee law allows both privileges to its citizens, we cannot tell.

We submit that the decision against her of the Adair Commission should not conclude her and debar her of her rights and her property because it was without jurisdiction of the subject matter,she not being shown to fall within any of the classes that Commission was authorized to act upon.

Unless the department determines such cases as this

there is no relief this side of Congress, and enough has been developed in the various controversies and investigations over this citizenship cases to demonstrate that there no way has ever yet been provided, since 1871, and none is likely to be provided by the Cherokee Nation by which there can be a fair hearing and just determination of applications for citizenship.

That the Cherokee nation has refused to join hands with the Department in creating a Tribunal which could be available [redacted] to the letter of Honorable Commissioner Leupp of July 31, 1906, see ex. Doc. No. 16, Senate 59th Congress, 1st Session, pp. 29, 30, 31

We hopefully ask that such order be made in this case as will give the claimant an opportunity to establish her "meritorious claim to citizenship in the Cherokee Nation," and save to her the property she has accumulated and submit the case.

Respectfully,

[redacted]

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End

Anna Helino et al

POOR ORIGINAL -
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No. 912

Anna Helms et al

vs

Cherokee Nation.

Brief

FILED SEPT. 1896.
Filed Sept. 30 1898
A. S. McKENNON
COM'R.

M. M. Edmiston
-LAWYER, Vinita.

Before the Honorable, the Dawes Commission

Anna Helms et-al
vs
Cherokee Nation
} Enc 912
Brief

Anna Helms was a Blevins and her mothers name was Anna Blevins who was a recognized Cherokee Indian and a resident of the Cherokee Nation. Petitioner, Anna Helms, first married John Benner, a recognized Cherokee Indian residing at the date of his death in the Cherokee Nation and his name was always enrolled as an Indian. By this marriage Eliza Benner was born and she claims right to citizenship through mother and father

Joe Blevins is a full brother of petitioner, Anna Helms, and they have always been regarded as Cherokees, born in the nation and residing here, enjoying the privileges as citizens up to about 15 years ago when for some unknown reason their names were dropped. Eliza Benner also drew her money with others and her name is or should be on the rolls, her name having been dropped, evidently, while temporarily residing with her mother in the Choctaw Nation

These petitions are respectfully submitted

W M Edwards
Atty. for Petitioners

POOR ORIGINAL -
BEST AVAILABLE COPY

End

James Herrell

Commission to the Five Civilized Tribes.

VINITA, IND. TER., ... 1896.

See that you swear to your Petition.

Evidence of service of copies on the Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some disinterested person to make affidavit in form about as follows:

I, J. H. Maulcove, do solemnly swear that on the 27 day of September, 1896, I saw a package registered at the postoffice at Vinita, addressed to Samuel Mayes Governor or Chief of the Cherokee Nation, Tahlequah Ind. Ter., that registry receipt, No. 138, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of James M. Keys et al and of the affidavits of Robert Bowman Vinita Ind Ter and John Kosolacek in support of same.

J. H. Maulcove.

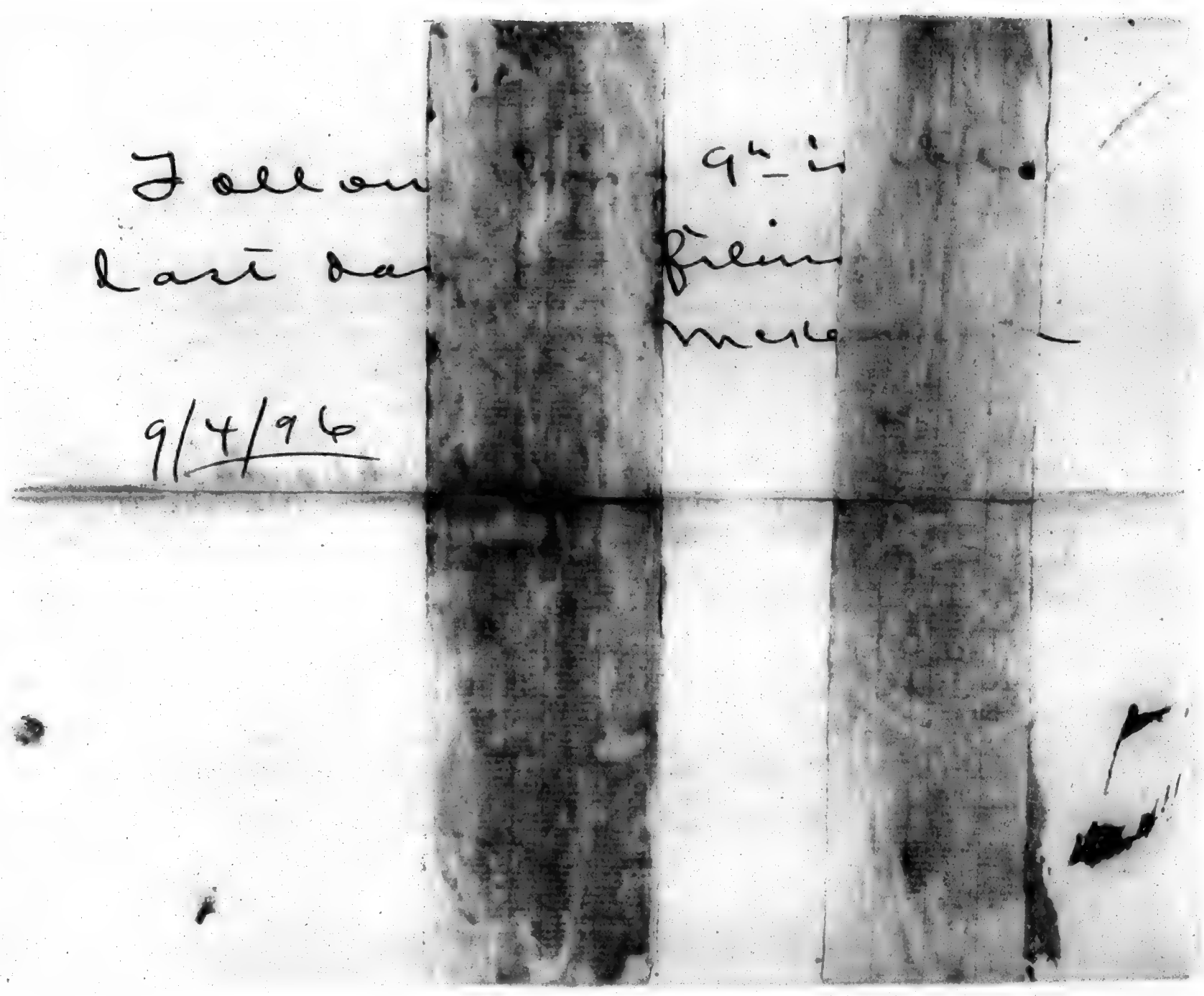
Subscribed and sworn to before me, on this 28th day of September 1896.

My Com Exp Dec 27 96 M. M. James Notary Public

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

For the Commission.

POOR ORIGINAL -
BEST AVAILABLE COPY



Follow up 9th-11th
last day filing
meeting

9/4/96

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DOCUMENT GLUED

End

Willis L. Hunter et al

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

First. We analyze Article I, and Section 2, Cherokee Constitution, and connect it with Article III, Section 5.

(a.) The LANDS of the Cherokee Nation are declared to be and remain common property.

(b.) Upon the question, "To whom are they common?" this Article and Section is silent.

(c.) An effort seems put forth in Article III, Section 5, to [illegible] which says: "The descendants of Cherokee men by [illegible] living together as man and wife [illegible] and privileges of [illegible]

[illegible] lands common?" The [illegible] Whites, legally members of the [illegible] to be citizens of the Cherokee Nation." An analysis [illegible] definition, will determine the significance of the clause, and answer the question, to-wit: "To whom are the lands of the Cherokee Nation common?" Answer, To ALL Cherokees. "Be all of what class? To ALL NATIVE BORN Cherokees. The phrase "all native born," is both numeral and descriptive, and enumerates and describes the noun Cherokees. All Cherokees of a particular class are therefore pointed out to whom the lands of the Cherokee Nation are common. This class is defined by the phrase "native born," and at once [illegible] the question who are native born Cherokees. The word "native" as an adjective is from the Latin word Nativus. Nativus is from Nascor, which is a verb, signifying to be born. The verb "to be born" has no reference to the place of birth, nor can it have. A native born Cherokee is therefore one who is born with Cherokee being, without any regard to the place of birth. Mr. Webster accordingly defines the adjective "Native," First: Produced by nature, original, born with the being. Second: Produced by nature, not fictitious or artificial. Third: Conferred by birth. [See Webster's Unabriged Dictionary.]

The word Native, when used as a noun ONLY, can be limited to imply a birth within any specified limit or place. Therefore if the constitution in hand, were want to limit births within the limits of the Cherokee Nation, and say the lands thereof are common property to those born within such limits, it would have read "Cherokee Natives," instead of "Native born Cherokees." That such has been the conception by the authorities until very recently of the amended form of their constitution, (Article III, Section 5,) will be amply attested by their records which show many admissions to political and communal rights of persons proving Cherokee blood from almost every State in the Union.

Article I, Section 2, and the two clauses read, "but the improvements made thereon, and in possession of the citizens of the Nation are the exclusive and indefeasible property of the citizens respectively, who made or may rightfully be in possession of them."

As has been shown all native born Cherokees shall be taken and deemed to be citizens of this Nation. Native born meaning born with the being--conferred by birth--every man or woman who has Cherokee blood, conferred by his or her birth must be taken and deemed to be, and are citizens, with EXCLUSIVE and INDEFEASIBLE personal property, in the improvements made or rightfully possessed. By the provisions of the constitution of the Cherokee Nation, the land of said Nation is now, and shall remain common to such persons as are or may be produced by nature with Cherokee blood or being, and the improvements thereon are exclusive and indefeasibly theirs by virtue of the same constitution. That which is exclusive cannot be encroached upon, and that which is indefeasible cannot be defeated. If your Honorable body mal bound therefore to respect "all laws" of the tribe, much more the fundamental law, and the case would seem made up; especially is this true viewed in the light of the positions of the authorities of this Nation which emphasize the position assumed. It is here alleged that the practice [illegible] has been upon the existence of Cherokee blood proven, to admit, and without such blood to reject, and if fraud was charged in any case admitted, the effort has uniformly been to consider whether or not the proof submitted to establish the blood, was or was not fraudulently obtained.

It is further alleged that the decisions of the tribunals--to which [illegible] citizenship--have been uniformly based upon the existence of blood [illegible] where such blood was conferred by birth. The [illegible] Nation forestall proof of this allegation and [illegible] the Article I, Section 2, of [illegible] expatriation [illegible]

[illegible] limits of the [illegible] citizen of another [illegible] this argument is substantial [illegible] any way bar him from political affinity and rights as a [illegible] his being, and therefore the option guaranteed to the [illegible] citizen said second Section is inapplicable in these cases, while the closing sentence of Section 5, Article III, and demands that these petitioners be taken and deemed to be [illegible] as citizens of the Cherokee [illegible] that they be given protection in the enjoyment, not only of their communal and indefeasible personal rights, but also in their political rights as well. It is alleged to be a custom in practice by the authorities of the Cherokee Nation to admit persons non-resident to all the rights of citizenship. (See certificate and papers accompanying hereto attached.) It is affirmed that this practice sets aside the only fundamental law of [illegible] for expatriating its citizens, and that under such practice the provisions of the constitution being annulled, no authority vested in the Cherokee Nation by their constitution to expatriate a Cherokee Indian whether [illegible] or out of said Nation, and that any improvements made, or rightly acquired by any native born Cherokee, or [illegible] Cherokee native, on the soil declared by the constitution to remain common property, must be held as the exclusive and indefeasible property to such persons, whether they be native born, or Cherokee natives.

It is further alleged that any construction not covering the foregoing is out of harmony with the [illegible] customs and usages of the Cherokee authorities, and with the treaties of said tribe with the United States, with the laws of the congress of the United States and with the rulings of the Interior Department and with [illegible] as well.

The last allegation will not be attempted to be substantiated in this paper, but [illegible] will be submitted in public discussion before the Honorable committee. The [illegible] recites the following: "Taking the general laws as they [illegible] the Cherokee Nation, and each one [illegible] thereof to see that every individual member of the [illegible] Op. Att'y Gen'l and that as a Cherokee could not [illegible] Op. Att'y Gen'l pages 256-7 taken in connection with [illegible] resides within the limits of the United States without regard to the [illegible] citizen with indefeasible vested interests in the property and funds of that Nation."

Respectfully submitted by

N. J. CRAWFORD.

POOR ORIGINAL -
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No. 1848
Willis L. Hunter et al
vs
Cherokee Nation

Brief

Filed Sept 10 1898
A. S. McKENNON

I. M. Edmiston
-LAWYER, Vinita

Before the Honorable, the Dawes Commission

Willis L. Hamlin et al
vs
the Cherokee Nation
} No. 1848
Roll

The evidence shows that Sally Brassly was the Grandmother of petitioner, Willis L. Hamlin and that James Starr was the Great Grandfather, and that each appear upon the rolls of 1835. James Starr lived in Hamilton Co. Tenn.

We think the foundation properly laid for copy evidence which is offered in part. Captain McKennon and Mr. Jacoway will verify statement that they searched repeatedly, the records then made for the original papers claimed by Mr. Rannus, to have been sent to the Commission, and finally a few identification affidavits only were found in a package representing other claimants not related to petitioner Willis L Hamlin

The applications are respectfully submitted

M. M Edmiston

Atty. for Petitioners

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End

Nancy M. Jack

Nancy M. Jack.

In the Matter and Claim of Nancy
Mc Jack to Cherokee Citizenship

State of Indiana }
County of Putnam } ss

Be it known the Twenty-sixth Day of
March A.D. 1874 Personally appeared before me
Samuel Wilson a Justice of the Peace in and
for the County and State aforesaid Nancy Mc
Jack of the County of Putnam in the State of Indiana
to me well known and who I hereby certify to
be a Creditable and Respectable Person and who
being by me first duly Sworn according to Law
Deposeth and Saith that She is a Person of
Cherokee Indian Descent and resides in the
County of Putnam and State of Indiana that
her age is Forty Seven years and her Post Office
Address is Portland Mills Putnam County State
of Indiana that She was Born in the County
of Clark and State of Kentucky and is the Daug
hter of one Nancy Yeates a Person of Cherokee
Indian Descent who Died in the County of Putnam
and State of Indiana on or about the Tenth day
of September A.D. 1861 that the said Nancy
Yeates as aforesaid was the Daughter of one
Abbey Harris a Half Breed Cherokee Indian
who was Born in the Cherokee Nation East
of the Mississippi River and removed with the
Cherokee Tribe of Indians and till on or about
the Thirtieth Day of September A.D. 1816 at which

time and date that portion of the Cherokee
Reservation where the said Arbey Harris as
aforesaid and her Husband William Harris a
White Man resided and made Valuable and
permanent improvements was ceded to the Gover
ment of the United States under Possession of
a Treaty made and concluded by and between
the Government of the United States and the Cherokee
Nation of Indians on the Fourteenth Day of Septem
ber A.D. 1816 and Proclaimed by the President of the
United States on the Nineteenth Day of Septem
ber A.D. 1816 that the said William Harris as
aforesaid did purchase the Lands where said
improvements as aforesaid continued to reside
therein until the Death of the said Arbey
Harris as aforesaid which Occurred on or
about the Twenty First Day of June A.D. 1838
leaving Surviving her a Daughter Nancy Ycatis
as aforesaid the Wife of one Martin B Ycatis

Deponent further Says that She and her
Children Ely Charles B Crawford Age Twenty
Two Years and Eddie L. Crawford Age Nine
teen Years are Persons of Cherokee Indian Descent
entitled to all the right privileges and immu
nities in the Cherokee Nation of any Citizen thereof
that her and her Children as aforesaid are unjustly
and unlawfully debarred of her and their rights

in the Cherokee Nation that she cannot secure
justice at the hands of the Cherokee National
authorities She therefore Submits her Claim
to the Honorable Secretary of Interior Washing
ton D.C. and Prays that the Honorable Secretary
will cause such action to be taken as will secure
her and her children as aforesaid equal rights
privileges and immunities in the Cherokee Nation
as enjoyed by any other Citizen thereof and for
such Other and further relief as the Honorable
Secretary may deem proper in the premises

Witness

Daniel to Jim Nancy M. Leach

her Mark

Sworn to and Subscribed before me this the Twenty
Sixth Day of March A.D. 1879 and I hereby certify that
the contents of the above affidavit were read and ex-
plained to the Affiant before Signing the Same and
that the Affiant says that the Statement made in the
foregoing Affidavit is made from her own knowledge
except as to those Matters Stated on information
and belief and as to those Matters She believes them
to be True

Given under my hand and Seal the day
and date last above written

Samuel Watkins J.P. Seal
Justice of the Peace

State of Indiana }
County of Putnam } ss

On this the Twenty Seventh Day of March A D 1879
Personally appeared before me Samuel Ballinger
a Justice of the Peace in and for the County and
State as aforesaid Jarjoin Darnall of the County
of Putnam in the State of Indiana to me well
known and who I hereby Certify to be a Credita-
ble and Respectable Person and who being by
me first duly duly Sworn according to Law
Deposeth and Saeth that he resides in the
County of Putnam and State of Indiana and
his age is Seventy Nine Years that his Post Office
Address is Bainbridge Putnam County State of
Indiana that he is well acquainted with Nancy
Ab Jack the foregoing Deponent Name in the fore
going Declaration and has been from her Earliest
Childhood and knows that the Said Nancy Ab
Jack as aforesaid is the identical Person She
represent herself to be that the Said Nancy Ab
Jack as aforesaid is the Daughter of one Nancy
Yeates who Died in the County of Putnam and
State of Indiana on or about the Tenth Day
of September A D. 1861 that the Said Nancy Yeates
as aforesaid was the Wife of One Bartin B
Yeates and the reputed Daughter of William
Harris and Nelsey Harris the Wife of the Said
William Harris as aforesaid

Witness
Daniel b Zaun
Thomas b Linkenbaud

Sworn to and Subscribed before me this the Twenty Seventh Day of March A.D. 1879 and I hereby Certify that the contents of the above affidavit were read and explained to affiant before Segaring the Same

Given under my hand and Seal the Day and Year last above written

Samuel Colliver J.P. (Seal)
Justice of the Peace

State of Indiana }
County of Putnam } Ss

On this the Twenty Seventh Day of March A.D. 1879 Personally appeared before me Samuel Colliver a Justice of the Peace in and for the County and State aforesaid Louisa Darnall of the County Putnam in the State of Indiana to me well known and who I hereby believe to be a Creditable and Respectable Person and who being by me first duly Sworn according to Law Deposeth and Saieth that She resides in the County of Putnam and State of Indiana and her age is Seventy one years that her Post Office Address is Bainbridge Putnam County State of Indiana that She is well acquainted with Nancy McJack the Deponent named in the foregoing Declaration and have been from her earliest Childhood and knows

that the said Nancy McJack as aforesaid is
the identical Person she represents herself
to be that the said Nancy McJack as aforesaid
is the the Daughter of one Nancy Yeates who died
in the County of Putnam and State of Indiana
on or about the Tenth Day of September A.D. 1861
that the said Nancy Yeates as aforesaid was the
wife of one Larkin B Yeates and the reputed
Daughter of William Harris and Ailsey Harris
the Wife of the said William Harris as aforesaid
Witness Larissa Deans
Daniel b Sims
Thomas b Linkenbeard

Sworn to and Subscribed before me this the Twenty
Seventh Day of March A.D. 1879 and I hereby Certify
that the Contents of the above affidavit were read
and explained to the Affiant before Signing the Same
Given under my hand and Seal the Day
and Year Last above written
Daniel Collier J P Seal
Justice of the Peace

State of Indiana }
County of Putnam } ss

I W D Bridges Clerk of the Putnam Circuit
and for the County and State aforesaid do
hereby Certify that Daniel Collier is a Justice
of the Peace in and for the County of Putnam in
the State of Indiana duly Commissioned
and Qualified as such Authorized by the Law

of the State of Indiana to Administer Oath's and that full faith and credit are due to all of his Official Acts and his Signature as above written is Genuine

In Witness Whereof I have hereunto Subscribed my Name and affixed the Seal of Said Court this the 31st of March A D 1879

Moses D Bridges Clerk

S 1355 (20) 79

Declaration
of
Laney McJack

State of Kansas
County of Cherokee } ss.

On this the Fourth Day of June A.D 1879
Personally appeared before me N.W. Coulter Clerk
of the District Court in and for the County and State
aforesaid Joshua W Yeates of the County of Cherokee
in the State of Kansas to me well known and who I
hereby certify to be a credetable and Respectable
Person and who being by me first duly Sworn according
to Law Deposeth and saieth that he is a Person of
Cherokee Indian Desent and resides in the County
of Cherokee and State of Kansas that he was Born
in the County of Clark and State of Kentucky and his
age is Fifty Years that his occupation is a Farmer
and his Post Office Address is Brush Creek Cherokee
County State of Kansas that he is well acquainted
with Taney Mc Jack the Deponent named in the
foregoing Declaration and have been from his
earliest recollection and knows that the said
Taney Mc Jack as aforesaid is a Person of Cherokee
Indian Desent and is entitled to all the rights
Priveledges and immunities in the Cherokee Nation
of any other Citizen there of

Witness
D. C. Finn
N. E. Finn

Joshua W Yeates

Sworn to and Subscribed before me this the 3ourth
Day of June A.D. 1879 and I hereby certify that the
contents of the above Affidavit were read and

explained to the affiant before [illegible] the same

In Witness whereof I have [illegible] subscribed

my name and affixed the Seal of said Court

the Day and Year last above written

[illegible]

Clerk Superior Court

Declaration
of
Homestead

1354 Book 19 X

End

7002
SEP 14 1893
INDIAN DIV

Department of the
Interior
Indian Affairs.

No. 30,477 Ind. Of. 1893.
Inclosure No. 15.

Muta Angelina Kelley et. al.
vs.
Cherokee Nation.

Brief of Claimants.

Thos. Marcum
Denison & Maxey
H.H.Hubbard
Attorneys.

INDIAN OFFICE
21107 Inclos. No. 15 1894.

Department of the Interior,

Indian Office.

No. 30,477, Indian Office, 1893.

Enclosure No. 15.

[redacted] Angelina Kelley and Heirs,

[redacted] Option.

[redacted] Brief for Claimants.

Having argued the

[redacted] of the Cherokee Nation, in the Cobb and Watts cases we do not deem it necessary to say anything upon that subject here other than that in our judgment it was not well taken.

In this case the report is adverse to the claimants and the conclusion is based solely upon the entry upon one of the records books of the Cherokee Nation, which is as follows:

"The Supreme Court as a Court of Commission adjourned the present sitting sine die - Tahlequah, Cherokee Nation, [redacted] Oct., 1877, W.H. Turner, Clerk."

We regret very much that there is not in the evidence [redacted] an exemplified copy of the page upon which the entry appears. We regret that in his report of the evidence Inspector [redacted] has omitted to state the important facts in evidence [redacted] him, that this entry was made in red ink in a different hand writing from the record immediately preceding it, and that there was no testimony to show when it was written or that the [redacted] Court ever authorized it or knew of it. It is in fact [redacted] to be regretted that all the testimony upon the various [redacted] was not taken stenographically, for, without any inten-

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[illegible] whatever of omitting any matters of importance, the Inspectors summary of the evidence filed does omit somethings which, in the judgment of Counsel, are important.

The evidence shows that the claimants case was passed upon in open court; that evidence was introduced, taken down by the [illegible], examined by the Chief Justice and his associates and a decision rendered that Miss Angeline Kelley was entitled to and that she be admitted to citizenship. There is no conflict in the evidence upon this point. See evidence attached to Report and Documents, Inclosure No. 16.

The proceeding was evidently conducted by the court under their construction of the authority vested in them by the act of 1899, which act was in full force and which that court had repeatedly and continuously construed as broad enough to empower it to pass upon any and all questions of citizenship, and its decision was final.

We say, First: That if it be true that the act only [illegible] authority to hear citizenship cases at a Special Term, [illegible] was fixed to the length of that term and there is no [illegible] the Court ever made an order adjourning the Special [illegible] did.

There is no order of the Court produced and the record that is produced is not signed either by the Chief Justice or either of his associates.

It is a mere memorandum made at random and for some [illegible] by the clerk and even that does not show an adjournment [illegible] It is not, and it is now ordered that the Supreme Court [illegible]

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a court of Commission adjourn sine die", but "Adjourned its present sitting sine die."

Following this remarkable entry are many pages left blank and then citizenship cases before another tribunal are entered, and the evidence in this and other cases shows that in October the Supreme Court resumedthe hearing of Citizenship cases under the act of 1869, and the Chief Justice heard cases under the act of Nov. 18,(20) 1870. The only fair presumption is that these blank pages in this record were left for the purpose of having written up upon them the citizenship proceedings had before the Supreme Court sitting as a Court of Commission.

Being unable to find any record in this case of the judgment of the court we were compelled to prove it orally;

Second: If we conceded that the entry was made by direction of the court, we must conclude that the court did not consider it as a final adjournment, and when we find the court proceeding with business, assuming jurisdiction of cases and disposing them we must presume that they resumed the "sitting" which had been adjourned.

Now the rights of Nuta A. Kelley and her heirs to be destroyed because we cannot find some where upon the blank pages of the unkept record and order of the court showing that the "sitting" as a Court of Commimion was resumed.

The testimony shows that the Chief sent Kelly to the Supreme Court to make his application, that he went there, presented his evidence and the judgment of the Court in favor of the admission of his wife was rendered, and that upon the same day the admission authorities issued a marriage license to him

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[illegible] there might be a re-marriage under and in compliance [illegible] the Cherokee laws, and this marriage was solemnized.

Several sets of counsel recite the admission of Mrs. [illegible]ley (some times called Nuta and sometimes Angelina)but unable to account that her admission had been obtained by fraud [illegible] the purpose of the acts being to have the judgment of [illegible] annulled. No provision, nor legislative declaration, [illegible] has been exhibited by the wrongful assumption of jurisdiction of the highest judicial Tribunal in the Nation.

The Nation presents a copy of the opinion of the [illegible] Commission (Inclosure 17) which is unique in its reasoning and shows a gross lack of knowledge as to the legislation of the Cherokee Nation upon the question of Citizenship .

That commission relied more upon the bastard entry which has [illegible] much weight with the Inspector. It does not quote it, but referring to it says: "That the court as a commission on citizenship closed its labors as such and adjourned sine die on the [illegible] day of June 1871". We submit the entry will not bear [illegible] construction by the commission, and does not authorize [illegible] of that,but rather contradicts it. The whole [illegible] is made to rest upon the words sine die, without [illegible] consideration being given to any of the other words.

The majority of the Commission proceed to declare that [illegible] G. Byrnes, (One of their number,whose affidavit of the circumstances attending the admission of Mrs. Polley had been [illegible]ained before them)must have been mistaken when he swore to [illegible] case having been heard by the court and ajudgment of admis-

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rendered, because the court had caused its intern as shown by the entry of June 21,1871, or in other words the clerk by a memorandum for the minutes which met the slightest authority as shown, deprived the Supreme Court of the Nation of the authority conferred upon it by law.

And this was the ground upon the part of Mrs. Kelley for which the minor complainants supplicated that the decree of the Supreme Court should be annulled.

The same opinion argues that if there was a hearing it must have been under the act of Dec. 1870, before Wynn as Chief Justice, and that on Dec. 18,1871 (the term of hearing) he had no authority to admit under that act,then the law was that the only authority given him was to finally admit or reject and it was not taken from him until the supplementary act of Dec. 8,1871.

It is a matter well established that Chief Justice Wynn all along construed his authority under the act of Nov. 1870 to authorize him to admit any who could show Cherokee blood, and so think the nation should be bound by that construction of their law by their own tribunals and the department should follow it. Have pursued and property rights have been acquired under that construction. If Justice Wynn was acting in a dual, two fold capacity,viz. as Chief Justice of Supreme Court, and as Court Commission and as sole judge under act of Nov. 1870, and as Chief Justice he should proceed to hear a case under the first named act, while the associate justices were on the bench, and even consult with them about the evidence would it render the finding and judgment void? The nation may take either view of the claims it pleases, and the claimants are legally entitled to their rights and privileges as citizens of the

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[illegible] motion and upon the evidence and the records in the case it is respectfully submitted.

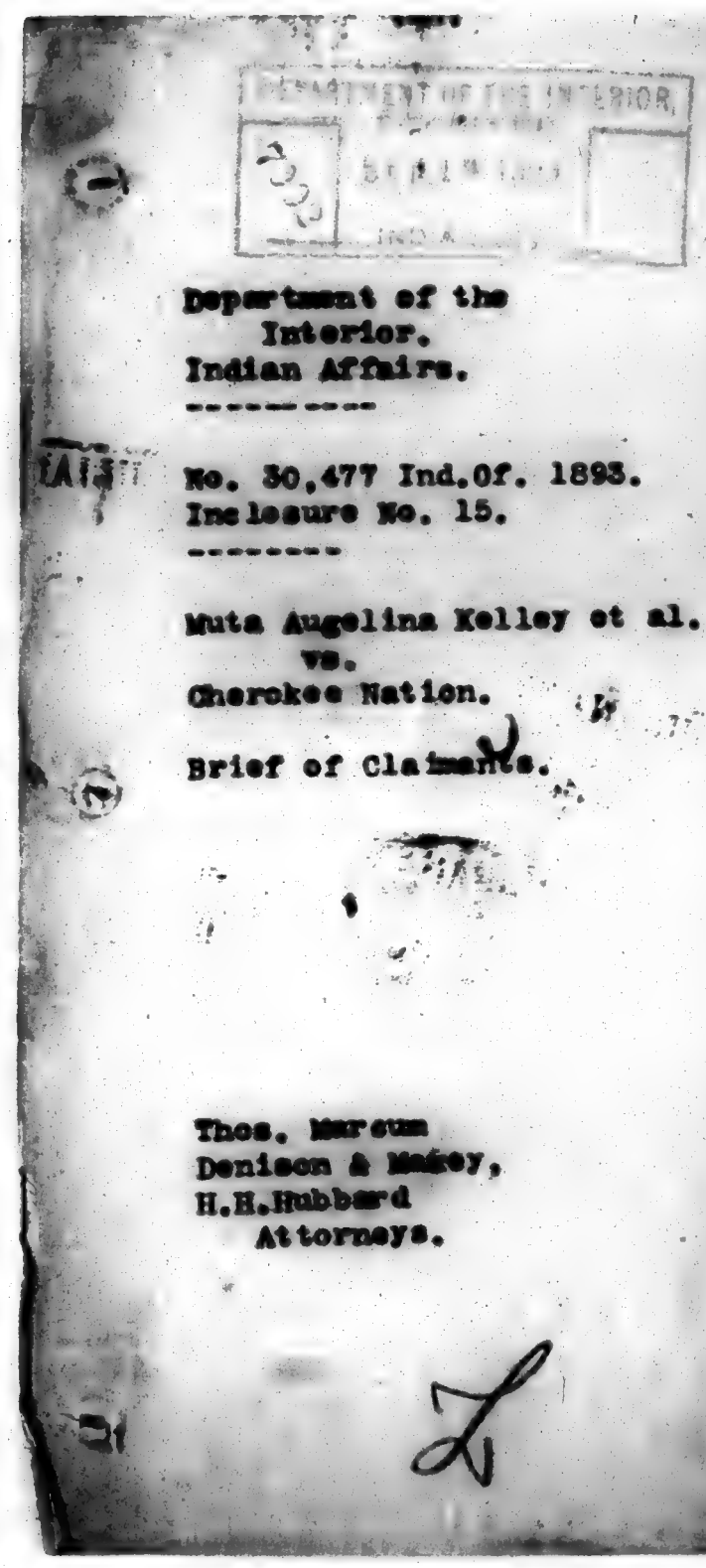
[illegible] Brown,

[illegible] & Henry,

[illegible],

Attorneys for Claimants.

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DEPARTMENT OF THE INTERIOR,
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INDIAN

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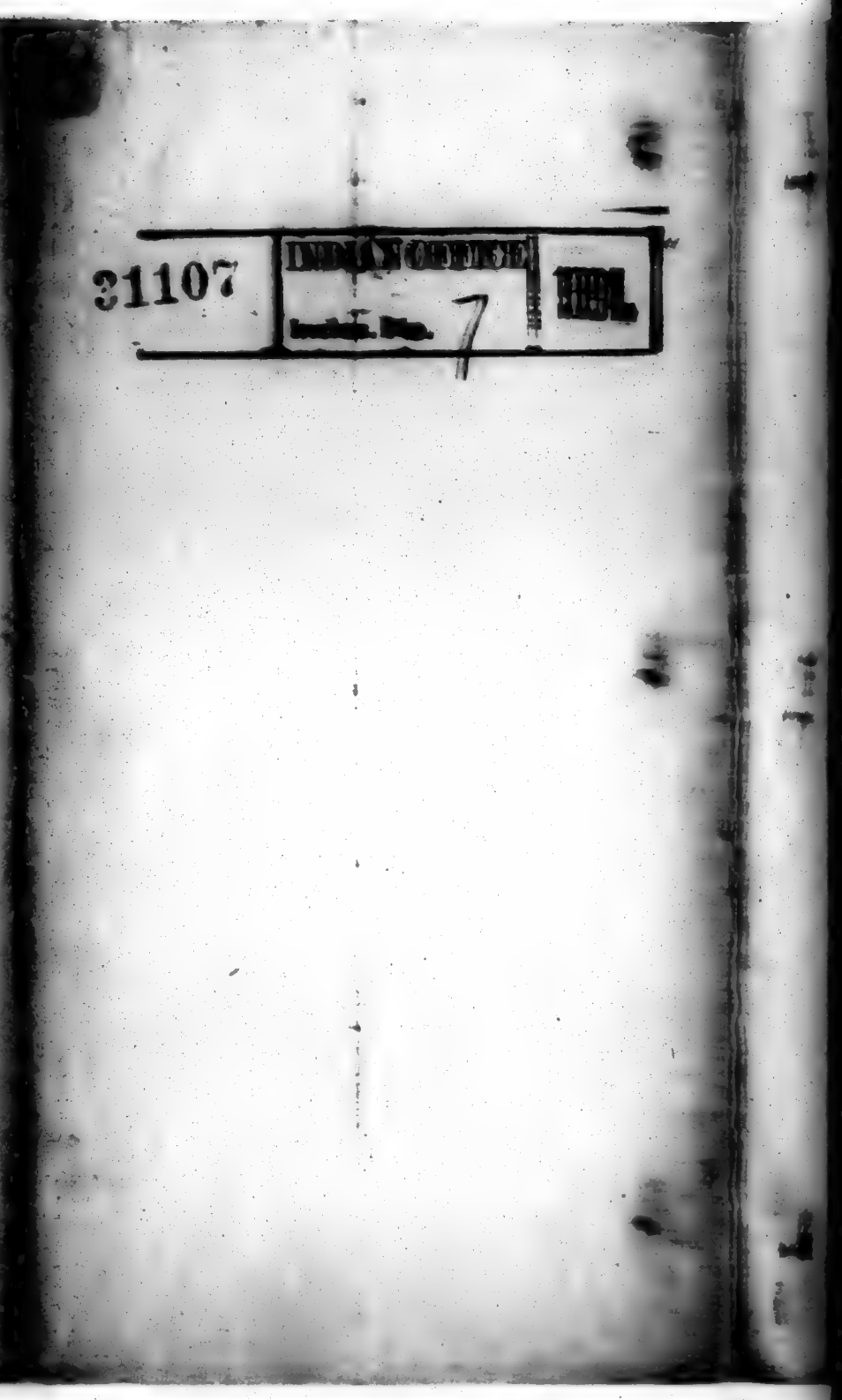
Department of the
Interior.
Indian Affairs.

No. 30,477 Ind.Of. 1893.
Inclosure No. 15.

Muta Augelina Kelley et al.
vs.
Cherokee Nation.

Brief of Claimants.

Thos. Merrum
Denison & Maxey,
H.H.Hubbard
Attorneys.


31107
INDIAN OFFICE
Inclosure No. 7

Department of the Interior.

Indian Office.

No. 30,477,Indian Office,1893.

Enclosure No. 15.

[redacted] Angeline Kelley and Heirs,

vs.

[redacted] Nation.

Brief for Claimants.

Having argued the [redacted] of the Cherokee Nation, in the Cobb and Watts cases we do not deem it necessary to say anything upon that subject here other then that in our judgment it was not well taken.

In this case the report is adverse to the claimants and the conclusion is based solely upon the entry upon one of the record books of the Cherokee Nation,which is as follows:

"The Supreme Court as a Court of Commission adjourned this present sitting sine die - Tahlequah,Cherokee Nation, [redacted] 1891,W.H. Turner,Clerk."

We regret very much that there is not in the evidence [redacted] a certified copy of the page upon which the entry appears. We regret that in his report of the evidence Inspector [redacted] has omitted to state the important facts in evidence before him,that this entry was made in red ink, in a different hand writing from the record immediately preceding it, and that there was no testimony to show when it was written or that the Supreme Court ever endorsed it or knew of it. It is in fact [redacted] to be regretted that all the testimony upon the various hearings was not taken stenographically,for,without any such

claim whatever of omitting any matters of importance, the Inspector's summary of the evidence filed does omit somethings which, in the judgment of Counsel, are important.

The evidence shows that the claimants case was passed upon in open court; that evidence was introduced, taken down by the clerk, examined by the Chief Justice and his associates and a decision rendered that Mrs. Angelina Kelley was entitled to and that she be admitted to citizenship. There is no conflict in the evidence upon this point. See evidence attached to Inspector's Report and Documents, Inclosure No. 16.

The proceeding was evidently conducted by the court under their construction of the authority vested in them by the act of 1909, which act was in full force and which that court had repeatedly and continuously construed as broad enough to empower it to pass upon any and all questions of citizenship, and its decision was final.

We say, First: That if it be true that the act only conferred authority to hear citizenship cases at a Special Term, which was fixed to the length of the term and there is no evidence that the Court ever made an order adjourning the Special Term sine die.

There is no order of the Court produced and the record that is produced is not signed either by the Chief Justice or either of his associates.

It is a mere presumption made at sometime and for some purpose by the clerk and even that does not show an adjournment sine die. It is not, and it is now ordered that the Supreme Court

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[illegible] a court of Commission adjourn sine die", but "Adjourned its present sitting sine die."

Following this remarkable entry are many pages left blank and then citizenship cases before another tribunal are entered, and the evidence in this and other cases shows that in October the Supreme Court resumedthe hearing of Citizenship cases under the act of 1866, and the Chief Justice heard cases under the act of Nov. 18,(20) 1870. The only fair presumption is that these blank pages in this record were left for the purpose of having written up upon them the citizenship proceedings had before the Supreme Court sitting as a Court of Commission.

Being unable to find any record in this case of the judgment of the court we were compelled to prove it orally;

Second: If we conceded that the entry was made by direction of the court, we must conclude that the court did not construe it as a final adjournment, and when we find the court proceeding with business, assuming jurisdiction of cases and disposing them we must presume that they resumed the "sitting" which had been adjourned.

Are the rights of Mata A. Kelley and her heirs to be now destroyed because we cannot find some where upon the blank pages of the unkept record and order of the court showing that the "sitting" as a Court of Commission was resumed.

The testimony shows that the Chief went orally to the Supreme Court to make his application, that he went there, presented his evidence and the judgment of the Court in favor of the admission of his wife was rendered, and that upon the same day the Cherokee authorities issued a marriage license to him

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that there might be a re-marriage under and in compliance with the Cherokee laws, and this marriage was solemnized.

Several sets of council recite the admission of Mrs. Kelley (some times called Nuta and sometimes Angelina) but unwilling to assume that her admission had been obtained by fraud or bribery the purpose of the sets being to have the judgment of admission avoided. No pretense, no legislative declaration, that she had been admitted by the wrongful assumption of jurisdiction of the highest judicial tribunal in the Nation.

The Nation presents a copy of the opinion of the Joint Commission (Inclosure 17) which is unique in its reasoning and shows a gross lack of knowledge as to the legislation of the Cherokee Nation upon the question of Citizenship.

That commission relied upon the bastard entry which has had such weight with the Inspector. It does not quote it, but referring to it says: "That the court as a commission on citizenship closed its labors as such and adjourned sine die on the 22nd day of June 1871". We submit the entry will not bear such statement by the commission, and does not authorize such a finding of fact, but rather contradicts it. The whole superstructure is made to rest upon the words sine die, without any consideration being given to any of the other words.

The majority of the Commission proceed to declare that Henry C. Barnes, (One of their number, whose affidavit of the circumstances attending the admission of Mrs. Kelley had been introduced before them) must have been mistaken when he swore to the case having been heard by the court and ajudgment of admis-

POOR ORIGINAL -
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when rendered, because the court had ceased its labors as shown by the entry of June 21,1871, or in other words the clerk by a memorandum for the making of which not the slightest authority is shown, deprived the Supreme Court of the Nation of the authority conferred upon it by law.

And this was the fraud upon the part of Mrs. Kelley for which the Admir commission adjudged that the decree of the Supreme Court should be annulled.

The same opinion argues that if there was a hearing it must have been under the act of Nov. 1870, before Venn as Chief Justice, and that on Nov. 10,1871 (the term of hearing) he had no authority to admit under that act,when the law was that the only authority given him was to finally admit or reject and it was not taken from him until the amendatory act of Dec. 8,1871.

It is a matter well established that Chief Justice Venn all along construed his authority under the act of Nov. 1870 to authorize him to admit any who could show Cherokee blood, and we think the nation should be bound by that construction of their law by their own tribunals and the Department should follow it where personal and property rights have been acquired under that construction. If Justice Venn was acting in a dual, or triple capacity,viz. as Chief Justice of Supreme Court, and as Court Commission and as sole judge under act of Nov. 1870, and as Chief Justice he should proceed to hear a case under the last named act, while the associate justices were on the bench, and even consult with them about the evidence would it render his finding and judgment void? The nation may take either horn of the dilemma it pleases, and the claimants are legally entitled to their rights and privileges as citizens of the

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therefore motion and upon the evidence and the records in the case it is respectfully submitted.

Thomas Marcus,

Denison & Money,

H.H.Hubbard,

Attorneys for Claimants.

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Department of Interior
Indian Office

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No. 30,477 Ind. Ty. 1893

Inclosure 15

Mitta A. Kelley and
heirs
vs
Cherokee Nation

Request for Papers

2110 | INDIAN OFFICE | Ind. Ter.

Marcus
Orrison Tinsley
Hubbard
Atty

Department Bureau
Indian Affairs.

No 30,477 Ind. Office. 893
Enclosure No. 15

Muta A. Kelley and Heirs.

To the Honorable Secretary of the Interior:

The claimants in the case are advised that papers pertaining to this case in the office of the Honorable Commissioner of Indian Affairs, viz: No. 13,926 Ind. Office, 1893 M. A. Kelley, Cherokee Citizenship, to which claimants desire to submit with the evidence taken by Examiner Duncan, and respectfully ask that the claim may be considered.

Thomas Marcum
Reuben Tillery
H. K. Hubbard
Attorneys

Report of C. C. Duncan
U.S. Indian Inspector
in case of Mata
& Kelly and Lucas
vs Cherokee Nation

DEPT. OF THE INTERIOR.
6381
INDIAN OFFICE,
Incl. No. 15
1895
31107

Muta A. Kelly, and heirs,

Vs. Fort Smith, Aug. 8, 1893.

Cherokee Nation.

Report of C. J. Duncan, U: S. Indian Inspector, in the above stated case.

Sir:--

I herewith submit the evidence in this case which involves the right of 16 persons to citizenship in the Cherokee Nation, with my conclusions, for your consideration.

J. D.Kelly, and family, moved from Missouri to the Cherokee Nation in 1870. Kelly, in right of his wife, whom he claims was a Cherokee by blood, applied in person to the Council for the nation; was referred to the Supreme Court, where he in person made application for his wife, claiming that the application was before the full bench, composed of J. S. Vann, Chief Justice, and Associate Justices Thomas Wolf, and Red Bird Six-Killer. The case was considered, evidence introduced, judgment of citizenship rendered, and certificate issued. Muta A. Kelly did not make this application as a North Carolina Indian, but upon the grounds that she was a Cherokee by blood. As I hold in the Watts case the Supreme Court at that time had no jurisdiction to render a judgment granting citizenship because the court as organized for that purpose had adjourned sine die on the 21st day of June, 1871, and the court at that time could only take evidence and refer it to Council.

Hence for the reasons more fully given in the Watts case I

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do not think Mata A. Kelly was ever legally admitted to citizenship in the Cherokee nation, though I am satisfied that Kelly was led to believe by the court that his admission was regular and legal, and he acted upon this information, acquired property and settled downnin the nation, thinking that he had been properly adjudged a citizen of the Cherokee Nation.

Respectfully submitted,

Hon. Sec. Interior.

C C Duncan
U S I Inspector

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Mata A. Kelly, and heirs,

Vs. Tahlequah July 24, 1893.

Cherokee Nation.

Denison, Hubbard and Watts, attorneys for applicant.

Hastings, Solicitor General, for the Cherokee Nation.

Testimont taken in the abdve stated case.

J. D. Kelley, sworn and testified:

Mata A. Kelly was my wife; she dies March 21st, 1888. Left 8 children. Theodore, John , Mary, William, Robert, Joseph, Franklin, and Charles were their names, and were all the children of Mata A. Kelly by J . D. Kelly. I moved into the nation in 1870. I married in north Missouri in 1854. I re-married the same wife after admission to citizenship in the Cherokee nation. I was married the second time by Parson Postell at my home, Delaware District, Cherokee Nation. Got license fromthe Clerk of the Cherokee court

Application for citizenship was made Novembe r 10th, 1 871, just after Council met. I first applied to Council, went in to open Council, and the Chief told me they were not trying these kind of cases; that I would have to go then to the Supreme Court. He told me where to find the Supreme Court room. I went to the Supreme Court and found the Supreme Court in session. Judge Vann Thomas Wolf and Red Bird Six-Killer presided. They told me they could not take the case up until after dinner; that Chief Downing was to be inagurated, and if they had time would take it up that

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evening. They took the case up that evening, evidence was submitted, witnesses were examined in open court, testimony reduced to writing by Turner, the Clerk, and decision rendered by the court on 10th of November, 1871.

(Kelly withdrawn for the present.)

William Eubanks, sworn, and testified:

I am Clerk of the Supreme Court, and have beentwo or three years. Amcustodian of the records and proceedings of the Supreme Court, and the proceedings in civil cases are in my office; the record of citizenship cases in 1871 is not in my custody. I think this record of citizenship cases is in the Executive Department. Upon examination of the record no judgment of the court in the Kelly case could be found.

J. D. Kelly, recalled:--

The court rendered the decision on the same day that I made my application. There was a consultation between Judge Vann, and the Associate justices before rendition of decision. Judge Vann requests the clerk to hand in the evidence, which had been filed in the case, which was read over and discussed between Judge Vann and Justices Wolf and Red Bird Six-Killer, and Judge Vann remarked "there is no use of keeping Mr. Kelly on suspense any longer," and told clerk to make out my certificate. I continued to reside there I then was 8 or 10 years. This application for citizenship was made for my wife Nata A. Kelly, on the ground she was a Cherokee by blood. My wife came to the Territory the same time I did, and remained with me until the time of her death. Lived in the same

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district and died at Echo. All of our children now live in the Delaware District, both those born befor e I moved and since I came into the Cherokee Nation. After the 10th of November, 1871, I exercised the rights of a Cherokee citizen, voted, sent to public school, acquired a farm, owned stock , sold goods, and allowed my stock to range on public domain like other people.

CROSS EXAMINATION.

Application was made in the name of my wife. I do not recollect that there was any attorney present to represent the Nation. I introduced as a witness a man by the name of Taylor, and also Tom Wolf, one of the judges, and old Capt. Fish, a member of Council. I do not know that any written opinion was given. The opinion was rendered 8 or 8:00 o'clock in the evening , November 10th, 1871. Chief Downing was inagurated that day in the morning. My case was taken up immediately after the inagural ceremonies had been completed. I came to Tahlequah on the 9th and left on the 11th. I had no attorney.

Certificate of Date Nov. 10 h, 1871, by J. S. Vann, that Mat A. Kelly on Cherokee blood was admitted to citizenship. Marriage licens e was then admitted.

The nation submitted the following testimony:

Act of December 3rd, 1869, Sec.5, which specially empowers the Supreme Court to try persons of doubtful citizenship where they have been reported by census takers , or solicitors of districts. (2) Joint resolution relating to North Carolina Cherokees, December 10, 1869. (3) Minutes of the Supreme Court as A Commission

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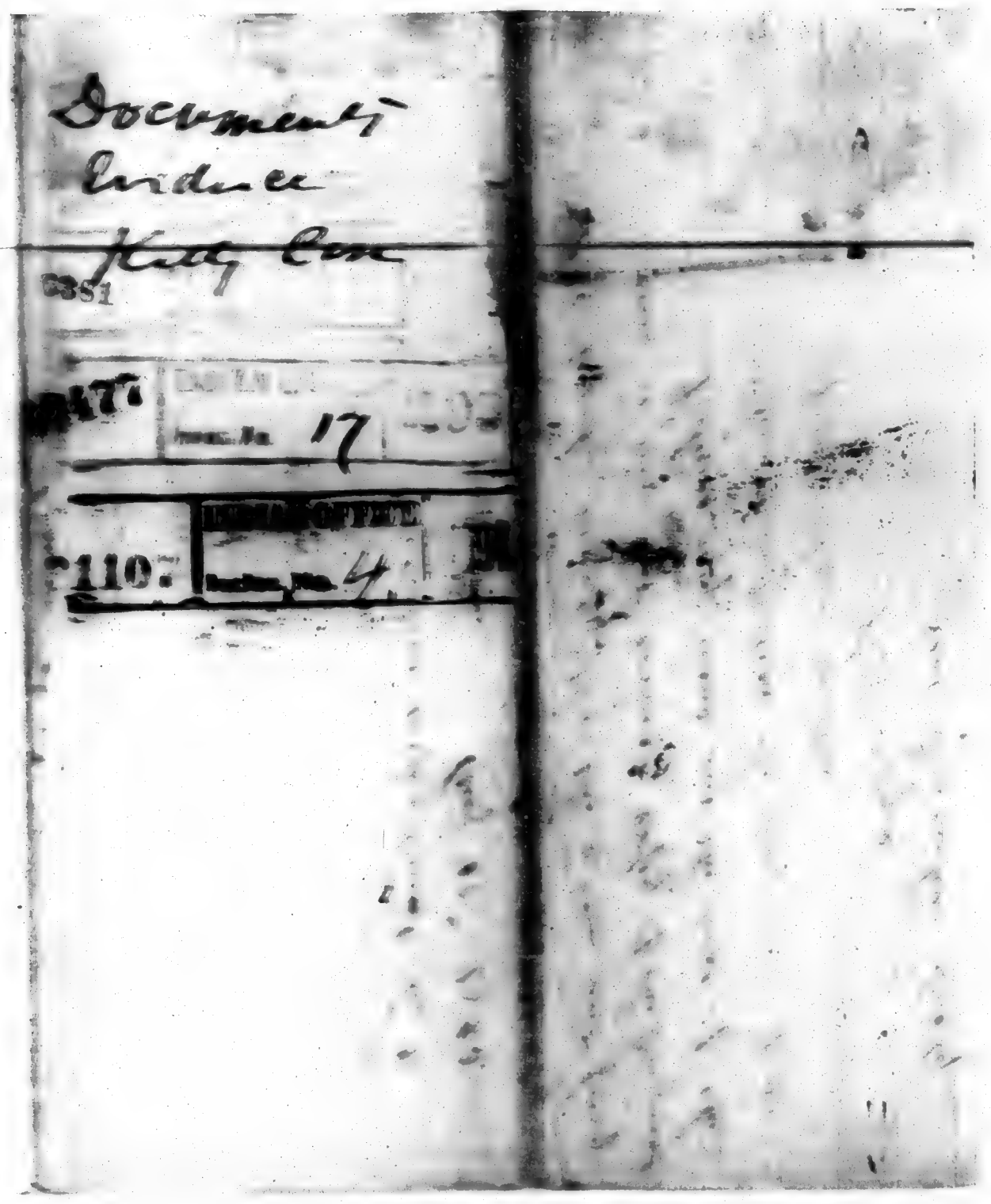
[redacted] for 1871, with the following entry:

"[redacted] Court as a court of commission adjourned its present sitting [redacted] Cherokee Nation, June 21st, 1871. [redacted]"

This book shows a number of blank pages, and no record of any other Commission proceedings made until 1874. The minutes of the Supreme Court show that the Supreme Court was in session for the trial of civil cases Nov / 18th, 1871. The decision of the court on the trial of Nute A. Kelly, Book E, of Docket, Commission on Citizenship, Page 124. (4) Act of National Council, authorizing Chief Justice to enroll North Carolina Cherokees, [redacted]

[redacted] John S. Vann was appointed Chief Justice the [redacted] of October, 1871; that the regular terms of the Supreme Court commenced the first Monday in October, and that John S. Vann was sworn in October 19th, 1871.

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Documents
Index
Katy Lane
6351
17
4

Office Commission on Citizenship
Tahlequah Ind. Ter. Oct 31st 1888.

Cherokee Nation
Angeline Kelly & family
charged with obtaining cit-
izenship in the Cherokee
Nation through fraud & bribery

The above entitled cause
is one of the eight mentioned in the 18th Sec
of the act the National council of the
Cherokee nation approved Dec 8th 1886 in
relation to citizenship the parties defendants
in the cause being charged with having obtained
citizenship in the Cherokee nation through fraud
and bribery.

Now it will be remembered that the
Supreme Court known as the "Bob Daniels
Court" was acting as a Commission on
Citizenship to try and determin certain
citizenship cases and that the law authorizing
it was approved Dec 8th 1869 and that the
Court ~~of~~ a Commission on Citizenship
closed its labors as such and adjourned
Sine die on the 21st day of June 1877
(See minutes of Special "Court of Commission"
Supreme Court 1877) On the 10th day of
Dec 1869 the National Council passed
a Joint resolution in regard to the

North Carolina Cherokees coming or
removing to the Cherokee Nation. This
resolution was passed upon sundry petitions
having been presented to the National Council
from said Cherokees and also a communication
from the Hon. Commissioner of Indian Affairs
on the subject of their removal to this Nation
and upon this was passed an act of the
National Council approved Nov. 2d 1870
authorizing and empowering their Justice of
the Supreme Court to enroll said North
Carlina Cherokees who might remove into
the Cherokee Nation and make application to
him within two months after their arrival
and then it become the duty of said Chief
Justice to make report of such cases as
provided for under the law to the next session
of the National Council of each year.
And the said Chief Justice is hereby
requed to report the number names ages
and sex of all persons admitted by him to
be intitled to Cherokee citizenship and also
the number names ages and sex of all the
persons denied the right of Cherokee
citizenship to the annual session of the
national Council in each year."
(See act of Nov. 2d 1870 in relation to citizenship)
the records of the Supreme Court & the

record of that office while John S Vanns
may have him acting in pursuance with
above quoted law does not show that any
cases were reported to the National Council
in accordance with the requirement of the
act Mr. Henry C Barnes who was Deputy
Sheriff of Fallegnal District at this time
and ex officio Sheriff of the Supreme
Court. says that in ane 1871 Alletta K
Kelly wife of J. A Kelly made an applicat
for citizenship and from the evidence she
produced the Court granted Alletta Kelly
citizenship she having proved to the
satisfactory of the court that she was
a daughter of James Harris one Barnes
was certainly Mistaken about the Court
hearing and recieving testimony in any
citizenship case at the time of the granting
of the certificate held by these parties in
November 1871 as the Commission which it
consisted of the Supreme Court Judges
ceased its labors as such on the 21st of
June 1871 some four months prior to
the date of this certificate.
(See minuts of Special Court of Commission
supreme court 1871 page 87) the Chief
Justice of the Supreme court Hon. John
S. Vanns at this time may have been

often engaged in hearing evidence
on the subject of citizenship during the
intervals of the sitting of the Supreme
Court as he was an officer filling functions
under two laws and it may have been that
that Mr. Barnes got these things somewhat
confused as was probly an easy matter
under the ~~the~~ existing affairs of this subject
of citizenship and then to Mr. Barnes
statement was in Dec 1884 some (15) years
are more afterwards.
As the Commissioners on Citizenship
have fully investigated this case and from
the laws governing the same are of the
opinion that Angeline Kelly and her
family recived this citizenship in the
Cherokee Nation if it can be construed
that they ~~and~~ had any thought fraud for
these reasons to act
The Chief Justice of the Supreme Court
had no authority to recind the law
(Act of Nov 28th 1870) in the matter of
citizenship in enrolling for upon persons
other than those who may have have come
from the state of North Carolina.
Mrs Minta A as Angeline Kell does not
set up any claim that she was from
North Carolina.

The pretended certificate of W. H. Turner
Clerk of the Supreme court for Judge
John S. Vann, is "I certify Minta A Kelly
(formerly Haney) has "proved to the satisfaction
of Chief Justice John S. Vann that she is
of Cherokee blood: and thereby intitled to
all the rights and privileges of others Cherokee
and now on record in Office of Supreme
Court November 10th 1871 W. H. Turner Clk.
Supreme Court for Judge
John S Vann"
We say pretended certificate of citizenship
for even if it had been signed by
Mr Vann himself, as Chief Justice
of the Supreme Court which he was
at the date of this paper, the law
under which he was acting (act Nov. 10 =
1870) did not confer the right on him
to grant citizenship only to report the
case with his finding to the National
Council for its definite action.
It will be observed that the law
says "all persons admitted by him
to be entitled to Cherokee citizenship"
This does not give the Chief Justice
under the law, the right to determine
the question of citizenship only
to recommend for the action

by the National Council such cases as he should deem to be entitled to the right of citizenship in the Cherokee nation after hearing the evidence in the case: the fact that a person is in the Cherokee Nation with simply a certificate of this kind in his possession showing that he are she had proven to the satisfaction of an officer whose duties are specifically defined by law with no such authority or power as the granting of citizenship contained therein is a fraud on the Cherokee Nation if used for other purpose than that for which it was granted to establish his or their claim for citizenship before the National Council with no binding force whatever on part of said Nation- We do not say that Chief Justice John Sloan did expend his authority in issuing that certificate of enrollment as given by him in conformity with the law under which he was then acting

They are not certificates of citizenship only certificate of persons whom the Chief Justice thought entitled to receive citizenship on the books of the National Council under the

law therefore; Ouida Angelina Kelly, Theodore Kelly, John L. Kelly, Mary L. Donovan, Ann Kelly, Robt E. Kelly, William Kelly, Joseph T. Kelly, Franklin Kelly, and Charles Kelly, are not citizens of the Cherokee Nation by virtue of Cherokee blood, as the fact has not been established before the proper authorities of the Cherokee Nation.

J. T. Adair, Chairman Commission
D. M. Lipe, Commissioner,
Commissioner.
H. C. Barnes, Dissenting

I hereby certify that the above foregoing is a true copy of the original now filed in this office -

Executive Department C. N.
Aug 10th 1893.

W. F. Mayes Asst-Executive Secty
do hereby certify that the above foregoing is true and correct copy of the Original
Witness my hand and the seal of the Cherokee Nation the day and year first-above written

W. F. Mayes
Asst-Executive Secty

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DEPARTMENT OF THE INTERIOR,

Indian Office.

No. 39,477, Indian Office, 1885.

Enclosure No. 15

[redacted], et al)
)
[redacted])

BRIEF FOR THE CHEROKEE NATION.

I. Demurrer to jurisdiction.

The formal filing of a demurrer in this case was waived and it was agreed that the same form as in the Flippin, Cobb and Watts cases would be considered filed. Having fu cited authorities and fully argued the position taken by the Chero- [redacted], your attention is respectfully invited to the briefs filed in them.

Inspector Duncan in his report on this case says:

"Nancy A. Kelley did not make this application as a North Carolina Cherokee Indian, but upon the grounds that she was a Cherokee by blood. As I held in the Watts case the Supreme Court at that time had no jurisdiction to render a judgment granting citizenship because the Court as organized for that purpose had adjourned sine die on the 21st day of June, 1871, and the court at that time could only take evidence and refer it to the Council. Since for the reasons more fully given in the Watts case, I do not think Nancy A. Kelley, was ever legally admitted to citizenship in the

Cherokee Nation". See Insloe. No. 15.)

This is a concise and correct statement of every point in the case and exactly what was held by the "Master Court". See Enclosure No. 17.

[redacted] of Dec. 3rd, 1869, authorized the appointment of persons to take the census in 1870, and all cases of doubtful citizenship was to be reported to the Supreme Court for final hearing and this court was also authorized to pass upon doubtful cases reported by the solicitors of the several districts. See Section 5, Act of Dec. 3rd, 1869. Enclosure No. 1.

The census was taken in the Spring of 1870, and reports made. In pursuance of the above act, the Supreme Court met [redacted], tried all such cases presented, kept the record of its proceedings in a separate book marked "Minutes of Special Court of Commission--Supreme Court, 1871", and on June 21st, 1871, we find the entry that the Supreme Court as a Court of Commission was adjourned sine die and signed by W. H. Turner, Clerk. The page immediately preceding this entry records the trial and decision of the court in many citizenship cases giving dates all along, including June 20, 1871. After this entry of adjournment on June 21st, there is no record that the court ever convened for the trial of citizenship cases but the blank pages which follow this entry are strongly presumptive that it did not or else they would have been used in recording the proceedings.

Counsel for plaintiffs indulge again in the fallacious argument that the Cherokee Nation did not prove [redacted] this en-

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try was made. The record is of the best evidence of itself and stands unless attacked on some valid grounds, fraud for example, and this was not even attempted before Inspector [redacted]. The Cherokee law does not require the judges to sign [redacted] court, neither is it the practice. The [redacted] is under oath to "faithfully record" the proceedings and nothing to the contrary, the presumption is that he did his duty.

Counsel for the claimant, ingeneous, I must say, change their position again and contend that if plaintiffs were not admitted by the Court they were by Chief Justice John S. Vann.

It will be observed that plaintiffs relied wholly on the following pretended certificate of W. H. Turner:

[redacted] A Kelley (formerly Davis) has [redacted] to the satisfaction of Chief Justice John S. Vann that she is of Cherokee blood and thereby entitled to all rights and privileges of other Cherokees and now on record in office of Supreme Court.

(Signed) W. H. Turner,

Supreme Court Clk. Supreme Court.

November 10, 1871. for Judge Jno. S. Vann. ".

(See inclosure No. 16.)

This does not even purport to be a certificate from the full court under the act of Dec. 3rd, 1869, but from Chief Justice John S. Vann, and if ever issued by Turner, was only a certificate of entitlement and not of admission and doubtless to be used before the National Council as it alone, at that time, had power to re-admit persons. The law assists us in this construction. As fully argued in other briefs, the

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Joint Resolution of December 10, 1869, was an expression of willingness on the part of the Cherokee Nation to receive the band of North Carolina Cherokees, passed in pursuance to a [redacted] of the Commissioner of Indian Affairs (See Joint Re-[redacted] and the act of Nov. 18 (20), 1870, and based upon this Resolution as the preamble of the act shows to provide an easy means of admitting the North Carolina Cherokees, their proof being easy and positive. See Act in Inclosure No. 1.

The Resolution and Act referred to are plain and capable of but one construction.

As Inspector Duncan states and the decision of the "Adair Court", Inclosure No. 17, shows Mute A. Kelby, did not apply [redacted] but claimed they were from Missouri, hence Judge Vann under act of Nov. 18, 1870, had no jurisdiction over the case. He might as entitled to administer oaths, have heard the testimony and issued a certificate of entitlement to be used as the basis of a claim before the Council, but under no construction of the act could he admit persons claiming Cherokee descent from the State of Missouri.

The Supreme Court minutes further show that the Court was in session on November 10, 1871, not trying citizenship claims but civil cases appealed from the circuit courts of the various districts and it cannot be presumed that it stopped in the midst of a large civil docket to take up a citizenship case.

The decision of the "Adair Court" is an able one, and fully justifies the conclusions reached

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"They are not certificates of citizenship, only the certificates of persons whom the Chief Justice thought entitled to receive citizenship at the hands of the National Council under the law, therefore, Nuta Angelina Kelley et al., are [redacted] Nation by virtue of Cherokee [redacted], so the fact has not been established before the proper authorities of the Cherokee Nation". See Inclosure No. 17. The facts, records introduced, the certificate of entitlement and the laws are convincing proof that the report of the Inspector in this case should be sustained.

Respectfully,

W. W. Hastings,
Attorney General for the
Cherokee Nation.

[redacted]

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No. 14.

John B. Edwards, white and citizen of the U. S., to marry E. J. Gardenhyer a Cherokee. Issued Jany 5th 1871. Married by Judge R. B. Daniel Chief Justice Supreme Ct, C. N., The above persons were married formerly in the State of Tennessee, but remarried under the laws of the Cherokee Nation, regulating the same.

I hereby certify that the above is a true and literal copy from the file now in the Clerks Office, Tahlequah, Tahlequah Dist C. N.

R. M. Daniel
Deputy Clk Tah Dist. C. N

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No. 22.

John D. Kelly, white citizen, of the U. S., to marry Muta A Kelly, a Cherokee. Issued

Nov. 10th 1871.

Married by Rev. Thos Pastell.

(Case same as Jno. B. Edwards.)

I hereby certify that the above is a true and correct copy of the original now on file in the Clerks office, Tahlequah, Tahlequah Dist. C. N.

R. M. Daumenberg

Dpty Clerk Tah. Dist. C.N.

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Copy -

I certify Nuta A. Kelley (formerly Davis) has proven to the satisfaction of Chief Justice Jno. S. Vann that she is of Cherokee blood, and thereby entitled to all rights and privileges of other Cherokees and is now on record in office of Supreme Court. (Signed) Feb 18. Perrine
Supreme Court Clk Supreme Court
November 10. 1871 for Judge Jno. S. Vann.

Testimony Evidence

Minnie A. Kelly

6381

INDIAN OFFICE
Indpls. No. 16 1897

Tulsa 5

31107-1894

Land



Department of the
Interior.
Indian Affairs.

No. 30,877 Ind.Of.1893.
Inclosure. No. 15.

Mita Angelina Kelley et al.
vs.

Cherokee Nation.

Brief of Claimants.

Thos.Marcum
Denison & Money
H.H.Hubbard.
Attorneys.

Department of the Interior,

Indian Office.

No. 30,477,Indian Office,1893.

Inclosure No. 15.

Mrs. Angelina Kelley and Heirs,
vs.
Cherokee nation.

Brief for Claimants.

Having argued the demurrer of the Cherokee Nation, in the Cobb and Watts cases we do not deem it necessary to say anything upon that subject here other than that in our judgment it was not well taken.

In this case the report is adverse to the claimants and the conclusion is based solely upon the entry upon one of the records books of the Cherokee Nation,which is as follows:

"The Supreme Court as a Court of Commission adjourned its present sitting sine die - Tahlequah,Cherokee Nation, June 21st,1871,W.H. Turner,Clerk."

We regret very much that there is not in the evidence returned an exemplified copy of the page upon which the entry appears. We regret that in his report of the evidence Inspector Duncan has omitted to state the important facts in evidence before him,that this entry was made in red inky in a different hand writing from the record immediately preceding it, and that there was no testimony to show when it was written or that the Supreme Court ever authorized it or knew of it. It is in fact much to be regretted that all the testimony upon the various hearings was not taken stenographically,for,without any inten-

tion whatever of omitting any matters of importance,the Inspectors summary of the evidence filed does omit somethings which,in the judgment of Counsel, are important.

The evidence shows that the claimants case was passed upon in open court;that evidence was introduced,taken down by the clerk,examined by the Chief Justice and his associates and a decision rendered that Mata Angelina Kelley was entitled to and that she be admitted to citizenship. There is no conflict in the evidence upon this point. See evidence attached to Report and Documents,Inclosure No. 16.

The proceeding was evidently conducted by the court under their construction of the authority vested in them by the act of 1909, which act was in full force and which that court had repeatedly and continuously construed as broad enough to summon it to pass upon any and all questions of citizenship, and its decision was final.

We say,First: That if it be true that the act only conferred authority to hear citizenship cases at a Special Term, unlimit was fixed to the length of the term and there is no evidence that the Court ever made an order adjourning the Special Term sine die.

There is no order of the Court produced and the record that is produced is not signed either by the Chief Justice or either of his associates.

It is a mere memorandum made at sometime and for some purpose by the clerk and even that does not show an adjourning order. It is not,"and it is now ordered that the Supreme Court

as a court of Commission adjourn sine die", but "Adjourned its present sitting sine die."

Following this remarkable entry are many pages left blank and then citizenship cases before another tribunal are entered, and the evidence in this and other cases shows that in October the Supreme Court resumedthe hearing of Citizenship cases under the act of 1869, and the Chief Justice heard cases under the act of Nov. 18,(20) 1870. The only fair presumption is that these blank pages in this record were left for the purpose of having written up upon them the citizenship proceedings had before the Supreme Court sitting as a Court of Commission.

Being unable to find any record in this case of the judgment of the court we were compelled to prove it orally.

Second: If we conceded that the entry was made by direction of the court, we must conclude that the court did not construe it as a final adjournment, and when we find the court proceeding with business, assuming jurisdiction of cases and deciding them we must presume that they resumed the "sitting" which had been adjourned.

Are the rights of Nuta A. Kelley and her heirs to be now destroyed because we cannot find some where upon the blank pages of the unkept record and order of the court showing that the "sitting" as a Court of Commission was resumed.

The testimony shows that the Chief sent Kelly to the Supreme Court to make his application, that he went there, produced his evidence and the judgment of the Court in favor of the admission of his wife was rendered, and that upon the same day the Cherokee authorities issued a marriage license to him

that there might be a re-marriage under and in compliance with the Cherokee laws, and this marriage was solemnized.

Several acts of council recite the admission of Mrs. Kelley (some times called Muta and sometimes Angelina)but undertake to assume that her admission had been obtained by fraud or bribery the purpose of the acts being to have the judgment of admission avoided. No pretense, no legislative declaration, that she had been admitted by the wrongful assumption of jurisdiction of the Highest Judicial Tribunal in the Nation.

The Nation presents a copy of the opinion of the Adair Commission (Inclosure 17) which is unique in its reasoning and shows a gross lack of knowledge as to the legislation of the Cherokee Nation upon the question of Citizenship .

That commission relied the bastard entry which has had such weight with the Inspector. It does not quote it, but referring to it says: "That the court as a commission on citizenship closed its labors as such and adjourned sine die on the 21st day of June 1871". We submit the entry will not bear out that statement by the commission, and does not authorize such a finding of fact,but rather contradicts it. The whole superstruction is made to rest upon the words sine die, without any consideration being given to any of the other words.

The majority of the Commission proceed to declare that Henry C. Barnes, (One of their number,whose affidavit of the circumstances attending the admission of Mrs. Kelley had been introduced before them)must have been mistaken when he swore to the case having been heard by the court and ajudgment of admis-

sion rendered, because the court had ceased its labors as shown by the entry of June 21,1871, or in other words the clerk by a memorandum for the makin of which not the slightest authority is shown, deprived the Supreme Court of the Nation of the authority conferred upon it by law.

And this was the fraud upon the part of Mrs. Kelley for which the Adair commission adjudged that the decree of the Supreme Court should be annulled.

The same opinion argues that if there was a hearing it must have been under the act of Nov. 1870, before Vann as Chief Justice, and that on Nov. 10,1871 (the term of hearing) he had no authority to admit under that actwhen the law was that the very authority given him was to finally admit or rejeet and it was not taken from him until the amendatory act of Dec. 8,1871.

It is a matter well established that Chief Justice Vann all along construed his authority under the act of Nov. 1870 to authorize him to admit any who could show Cherokee blood, and we think the Nation should be bound by that construction of their law by their own tribunals and the Department should follow it where personal and property rights have been acquired under thatconstruction. If Justice Vann was acting in a dual, or triple capacity,viz. as Chief Justice of Supreme Court, and of Court Commission and as sole judge under act of Nov. 1870, and as Chief Justice he should proceed to hear a case under the last named act, while the associate justices were on the bench, and even consult with them about the evidence would it render his finding and judgment void? The Nation may take either horn of the dilemma it pleases, and the claimants are legally entitled to their rights and privileged as citizens of the

Cherokee Nation and upon the evidence and the records in the case it is respectfully submitted.

Thomas Marcum,

Denison & Maxey,

H.H.Hubbard,

Attorneys for Claimants.

An act authorizing the investigation of certain cases therein named —

Whereas it is very generally believed that the cases of Serena Quinny — Father of Beatties Prairie, and family and Mr Rogers Phillips, and Angeline Kelly (wife of J. D. Kelly) of Delaware district, and a Baker of Saline district - and Saml Dolly late of Tahlequah district - and Dr Payne and Dr Bell of and their families of Sequoyah district, and John Cobb of Canadian district and Phillips of Tahlequah district, the favorable action of the Supreme Court and National Council upon their claims for Cherokee Rights upon the grounds of Cherokee blood, has been obtained through the influence of misrepresentations and fraudulent testimony

Therefore, Be it enacted by the National Council — That the Principal Chief be and he is hereby authorized to appoint some competent person to investigate said cases before the Chief Justice of the Supreme Court and to submit well authenticated testimony of such facts — if any — as will expose such frauds

Be it further enacted, That the said person or attorney, shall be authorized, and it is hereby made his duty, to represent and defend the interest of the Cherokee Nation before the Supreme

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bount in the case herein mentioned as provided for
by this act, and the said person or attorney shall be
entitled to Five Hundred dollars for such service.
Be it further enacted - That the Chief Justice of the
Supreme Court of this Nation, is hereby authorized
and required, as early as practicable in 1874, to try
the cases or claims of the individuals herein referred
to, in the Supreme Court Room in Talequah, and
said suits shall be by summons, directed by said
Judge to the Sheriff of any of the districts of this Nation
to be served at least thirty days before the day of trial
And any person failing to obey such summons shall
be proceeded against the same as if they the said persons
were present

Nov 27th 1873

L. B. Bell - Clerk

H. D. Reese - Clerk of Council.

Wm Wilson
President Senate

Concurred in

Jno. R. Rural, Speaker Council

Approved

Will P. Ross

12

I, [illegible] Clerk of the House and a strict act of
the National Council, entitled An act authorizing
the investigation of certain cases therein named
Approved November 27th 1873, is a true and literal
Copy of the original as per Executive file of the Same
This the 9th day of January A.D. 1880

W. P. Adams
Asst Exec Secy. C. N.

9

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INDIAN OFFICE
Index No. 1890

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Copy

An Act for taking a Census of the Cherokee Nation, in the year 1870, and for giving power upon the Supreme Court to hear and determine cases of doubtful citizenship at an Extra Term

Sec 1. Be it enacted by the National Council That two expert and responsible persons, to be appointed by the Principal Chief (in each district), who shall be residents of the district from which they are appointed, be, and they are hereby authorized and directed to take the census of their respective districts between the 1st day of March and the 1st day of September 1870, and make full and certified returns thereof to the Principal Chief, on or before the 1st day of October of said year. The said census takers, before entering upon the duty hereby assigned them shall take an oath for the full, impartial and correct performance of the census as herein after defined.

Sec 2nd That it shall be the duty of said census takers to take a full and complete return of all persons found residing or sojourning within the limits of their respective districts at the time of taking the enumeration as required by the foregoing section. And said returns shall show the names of all heads of families, the names of all females above the age eighteen years, the names of all males above the age of eighteen years, the names and ages of all orphans, under sixteen years, the names of persons entitled by law to citizenship, their ages also specified, the names of all whites not so entitled, the names of all colored persons entitled by law to citizenship, within said ages, and the names of all such persons not so entitled; and the names of all Indians not so entitled.

Sec 3rd That it shall be the duty of the Principal Chief to cause ruled blanks to be prepared, of a suitable and convenient form, and furnish to said census takers for the purpose of

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making the examination herein provided for, each said Judges shall be allowed the sum of one dollar per day while engaged in the performance of the duties herein imposed upon them.

Sec 4th — That it shall be the duties of the Principal Chief to cause a summary of the returns so made & ~~returns~~ to be prepared and laid before the National Council, together with the full returns of the same, at the ~~[illegible]~~ of the annual session thereof in 1870. And which said ~~[illegible]~~ shall serve as the basis for apportioning the representation of the several districts of the Cherokee Nation in the National Council in accordance with the amendments to the constitution dated November 2d 1866.

Sec 5th — That all persons whose rights to citizenship in the Cherokee Nation shall be called in question, and who shall be rejected by the persons authorized by this act to take a census of the Cherokee people, on the list of citizen persons, shall be required to appear before the Supreme Court of the Cherokee Nation, at Tahlequah, on the 1st Monday in December 1870, then and there to establish their rights to citizenship in this Nation. And the said Supreme Court is hereby specially empowered to hold such a court of reminiscences on behalf of the Nation, for the hearing and determining of all cases of disputed citizenship, which may be appealed to it by the persons rejected, or by the officers of the several districts; and the decision of said court shall be deemed final and conclusive in the premises as to the rights of said

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pursuance to citizenships in the Cherokee Nation.
And the said court shall cause a correct list of the names
and ages of all persons whose rights they may confirm,
and list of all those whose rights they may reject, to be
posted on some conspicuous place at the court house
to be provided by the principal chief for the use of the
Executive Office

Office this December 3rd 1869 the day
of present date

Lewis Downing
Principal Chief of the Cherokee Nation

Tahlequah C.N. December 26th 1869

I hereby certify the above and foregoing act to be a true and
literal copy as published by authority of the Cherokee Nation
and contained in the public laws for the year 1868 & 1869
to

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I certify Minta A Kelly (formerly Duncan) has proven to the satisfaction of Chief Justice Jno S. Vann that she is a Cherokee by blood, and thereby entitled to all rights and privileges of other Cherokees, and this on record in office of Supreme Court.

Supreme Court,

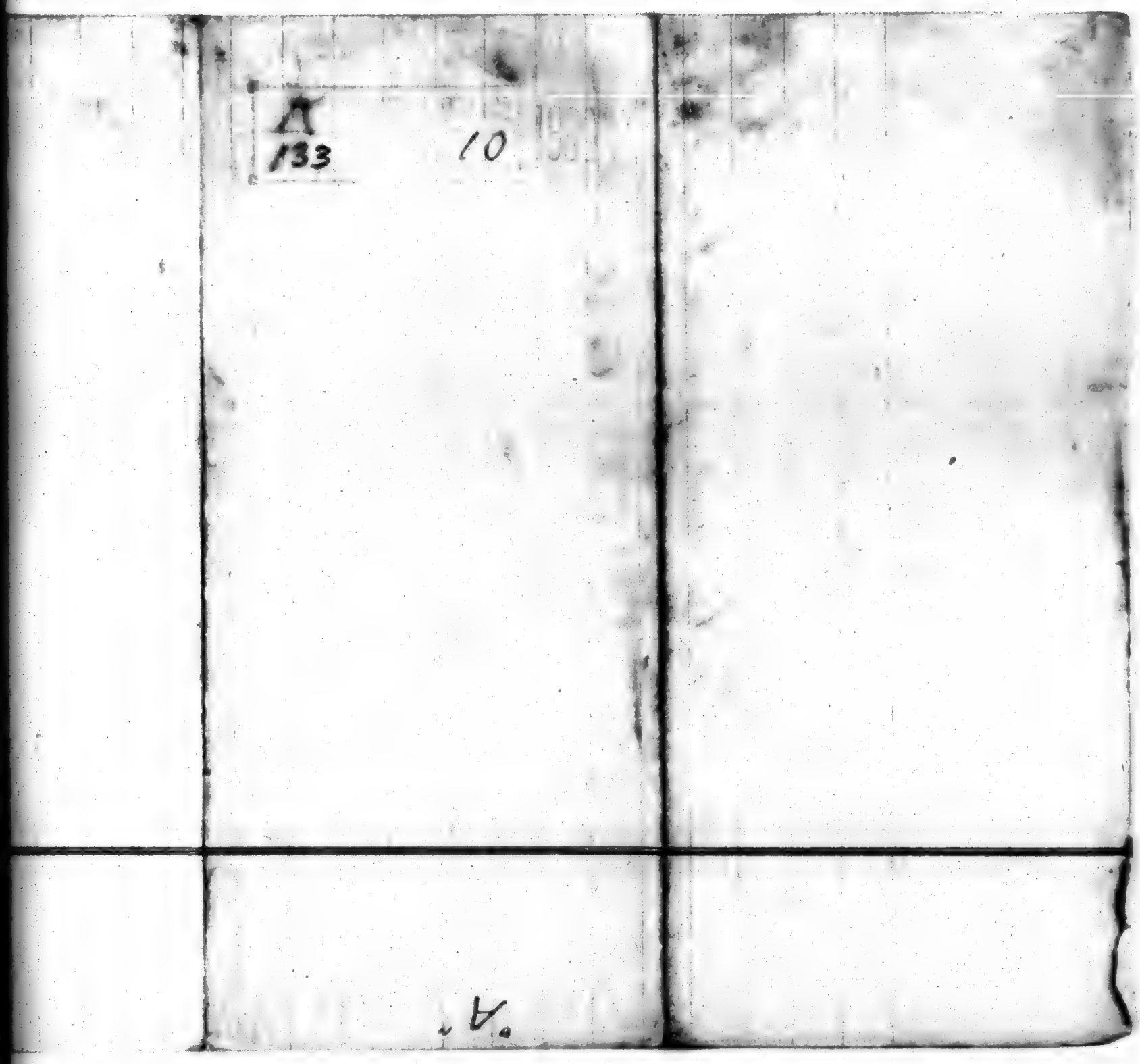
November 10th 1871.

(Signed) Chief Clerk
Supreme Court
for Judge Chas S. Vann

I do hereby certify that the above certificate Signed by W. A. Vann Clerk Supreme Court for Judge Vann is a true and literal Copy of the original as found among the papers and Records of the late Cherokee Commission on Citizenship now on file in this office.

Given under my hand and Seal of the Cherokee Nation at the office after Execution Department Tahlequah C.N. this the 15th day of November A.D. 1879. (W. P. Ross)
Asst. Sec. Interior

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Affidavit of Rudick Sipkilen respecting a decision of the Supreme Court admitting Angelina Kelly to Citizenship 1891	K 133	9

Cherokee Nation
Tahlequah District } Personally came
before me Allen Ross Clerk of the
aforesaid District Red Bird Big
Killer, who being justified states that
he was one of the Associate Justices on
the Supreme Bench in the year 1871—
after the session of the Supreme Court
which convenes regularly on the first Mon-
day in October for the trial of appealed
property cases— The Court held a ses-
sion for the Claims for Cherokee Citizen-
ship— and deponent is aware that one
Mrs. Angeline Kelly was during that session
a Claimant for citizenship, and she
was made a Cherokee Citizen by a deci-
sion and decree of Court— Hon John
B Vann was Chief Justice filling the
unexpired term of Hon R B Daniels
W H Timmons was Clerk of the Court
at that time— Mrs Kelly representing
his wife was told by the Court after
the production of testimony in the
case, that he need not wait but
would be duly notified, the Court
had to decide claims for Citizenship
under the Law of the National Coun-
cil authorizing the taking of the Cen-
sus

passed in the year 1869— The decisions
of the Court under that was final
The Clerk of the Court was ordered to
issue a Certificate to parties that
had Cases passed in their favor
and a Record of the proceedings in
each Case was Kept including the
time Note— Defendant does not
recollect the exact date of the decision
in this Case but it was about the
time when ex Chief, Lewis Downing
was inaugurated which occurred
soon after the Commencement of
the regular Session of the National
Council which Convenes on the
first Monday in November of each
year— Sworn to and Subscribed to
before me this 30th day of Jan
1874

Allen Ross
Clerk Tahlequah Dist
Cherokee Nation

his
Redbird X Smallwood
mark

Affidavit of H. C. Barnes in regard to the Decision of the Supreme Court in the case of Angeline Kelly in regard to Citizenship in the Cherokee Nation in 1871 "F"	K 133	8

Cherokee Nation
Tahlequah District } Personally came
before me Allen Ross Clerk of the
aforesaid District Henry C Barnes, who
being qualified Saith that he was
waiting on the Supreme Court as Sheriff
time that ~~Mute~~ Angeline Kelly's Case was
tried and decided, and it was dec
ded in Kellys favor in 1871— further
deponent saith not— Sworn to and
subscribed to before me This 30th
day of June 1879—

Allen Ross Clerk } H. C. Barnes
Tahlequah Dist
Cherokee Nation

Copy
of marriage record
in office of Clerk of
Yalobusha District

K
133 6

Copy

John D Kelly - White Citizen of the
U S to Mary Nuta A Kelly a Cherokee
Issued Nov 10th 1871
Married by Rev Thos Postell

I hereby certify that the above is a
true Copy from the file on Record
in the Clerks Office of Tahlequah
District - Given under my hand
and seal of Office this 9th day of
January 1880

Allen Ross Clerk
Tahlequah Dist
C N

K
133 7

Before the Commission on
Citizenship Tahlequah C. N.
January 9th 1880

This day comes the undersigned by his attorneys Berry and Lyon and files this his claim to Citizenship
Claimant claims through and by virtue of intermarriage claimant also represents that his rights have been disputed and under the law creating this commission applies to your honorable body for the adjudication of his claim —

Claimant was married according to the laws of the Cherokee nation regulating intermarriage and therefore asks that an opportunity be accorded him in which to produce the legal and consistent proof of the allegation as above set forth.

Claimant claims for jurisdiction under Section 2nd and 6th of the law creating the Commission

J D Kelly
by
Berry & Lyon.
Attorneys

(Copy)
F B. Mayes Clerk

A
133

2

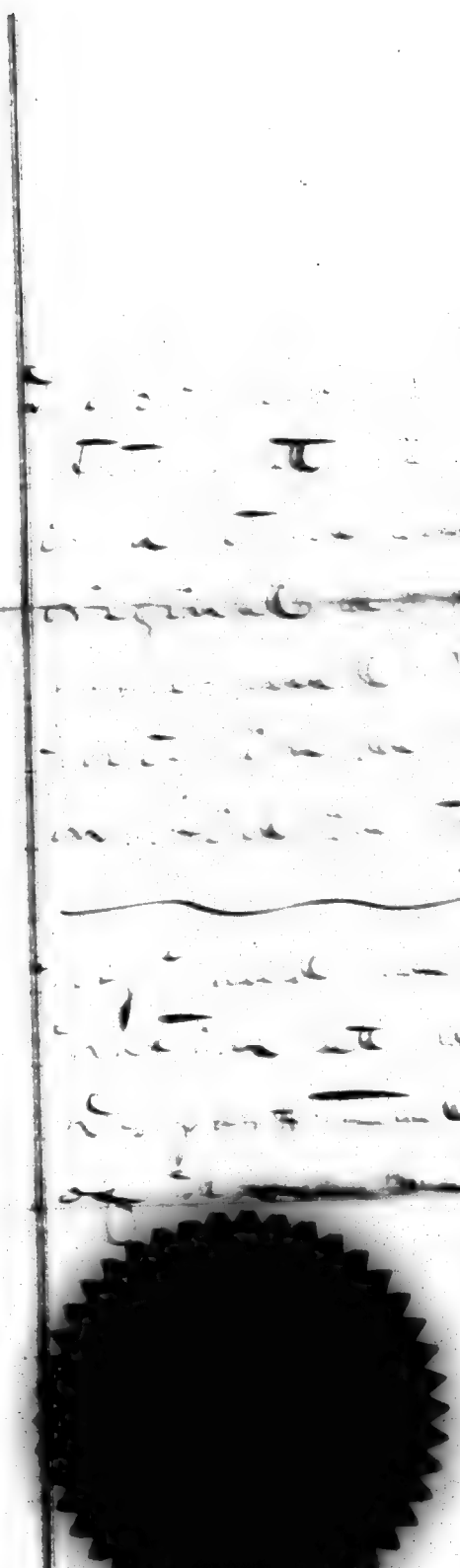
I do hereby certify that the within
Statement signed by W. H. Turner
is a true and literal Copy of the
original as found among the
papers and Records of the late Com-
missioners in Litigations and Liens
on file in this office. ——————

Given under
my Hand and Seal of the Choctaw
Nation at the office of the Secretaries
Department, Tahlequah, this 13th day
of November A.D. 1879. ——————

Wm. McMillan
Asst Sec'y.

This Certifies that J. D. Kelly a white
Man and Citizen of the United States
who Married a Miss Anita A Davis
a Cherokee out of the limits of the
Cherokee Nation and since removed
into the Cherokee Nation and
wishing to become a Citizen of said
Nation presented his Recommendation
for Marriage License as required by law
on or about the 10th day of November
1871 and received the same of me
as I was then acting Clerk of
the District Court for Tahlequah
District This same License was
then afterwards returned to said
Office with Certificate of Marriage
Solemnized by the Proper Authorized
Officer thereby obtaining Cherokee
Citizenship into the Law Regulating
Intermarriage with white men &c
A record of the same is now on file
in Offin of Dist Ct for Tahlequah
Dist to the best of my recollection
Aug 4th 1874 (Signed) W. H. Tiernan

133.



K 133	1	Decision of present Court of Commission refusing to hear

Tahlequah C.N. Office
Commission on Citizenship
January 10th 1880

H. D. Kelly
v.s.
Cherokee Nation } Plea for Citizenship.

The Commission
Rules [redacted] in your election
on the case and therefore decide
not to Take it up for the
following reasons.

1st That the report of the late
Commission on Citizenship organized
under the law of the National Council
Approved December 3rd 1877. - Shows
that the case was adjudicated
before said Commission and that
a decision was rendered by said
Commission adverse to the claim of
H. D. Kelly

The above Report of said
Commission refused to was submit-
ted to the National council
during the last session November 1879
and is now before the Commission

Roach Young
President
Commission

A. B. Hayes
Clerk

(Copy)

K 133	3	Mrtha A. Kelly U.S. Cherokee nation

Tahlequah C N
Office Commission on Citizenship
January 10th 80

Mita A. Kelly
V. S:
Cherokee Nation
} Plea for Citizenship.

The Commission Rules that it has no jurisdiction in the case and, therefore decide, not to take it up for the following reasons.

1st. That the Report of the late Commission on Citizenship rendered under the Act of the National Council Approved December 8th 1877.

Shows that the case was adjudicated before said Commission, and that a decision was rendered by said Commission adverse to the Claim of Mita A. Kelly

The above Report of said Commission refused to was submitted to the National Council during its last session November 1879. and is now before this Commission

Roach Young
Commission
on Citizenship.

F. B. Mayes
Clerk

K
133 4

Affidavit
of
F. S. Kelly

In the [illegible] Indian
Territory District

United States Commissioner for the Western District of Ark
and the Indian Territory.

[illegible] That his office, [illegible] Capt. Kelly
on the early part of January, 1871, presided the
Supreme Court of the Choctaw nation, then
sitting by authority of an act of the Choctaw
Council at its regular session for 1870, - an a
[illegible] act or ordinance to [illegible] - That the prisoners [illegible]
[illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
all the original papers [illegible] the Choctaw
she having proven the Choctaw laws to the satisfac-
tion of the said court, that after the said
decision [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
possessed of either Choctaw - That during the
regular session of the National Council for 1873,
[illegible] one Robert Wilson
said [illegible] Ouachita Bill, and others therein named
had obtained their citizenship through fraud - That
the said act designated the Chief Justice of the
Supreme Court to investigate the fraud charged
against the parties named in the said act. That my

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[illegible] by [illegible] a record of [illegible] is [illegible]
[illegible] in the office of the [illegible] of [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

in good faith, as a citizen, and upon which imprisonment petitioner now resides —

I beg leave to respectfully submit herewith the affidavit of Judge Red Bird Six Killer, the only magistrate of the court now sitting who was upon the bench at the time, also affidavit of H. C. Barnes, Sheriff, who was waiting on the court at and who was present when the case was decided in my favor —

In view of the above facts petitioner respectfully asks that her case be impartially considered and that so much of the act of 1877, as refers to your petitioner be reconsidered — And your petitioner will ever pray —

Anita A. Kelly

K
133

To the /

Honorable the National Council —

" " " "

Your undersigned your petitioner would most respectfully beg leave to represent to your honorable bodies, that- during the session of the National Council for 1877, your petitioner was included in an act entitled "an act declaring Dr. S. H. Payne and others, intruders upon the public domain

Your petitioner would respectfully submit, that, in the year 1876, after the regular October term of the Supreme Court, the said court held a session, under authority of an act of Congress, to hear and decide cases of parties making application for citizenship by virtue of their Cherokee blood - and at that session of your petitioner filed her application and submitted her evidence to the said court - Judge John B. Vann, ~~presiding~~ Chief Justice, and Judges Red Bird Bixbee and Wolfe associates - and that after a full investigation, in my case, upon the evidence submitted, a decree of the court was rendered in my favor, and a certificate issued from the court to your petitioner to that effect.

Your petitioner would further represent that by the act of 1877, a great injustice

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has been done her- That petitioner is the daughter of James or Jim Doris a Cherokee by blood and that she made her proof to that effect before the tribunal, designated by the National Council, and whose acts and decisions were by law declared final - That after having been admitted upon petitioner settled and improved a place in Delaware district in good faith, as a citizen, and upon which improvement petitioner now resides -

I beg leave to respectfully submit- herewith the affidavit of Judge Red Bird Six Killer, the only member of the court now living who was upon the bench at the time, & affidavit of H. C. Barnes, Sheriff, who was residing out the west at and who was present when the case was decided in my favor -

In view of the above facts petitioner respectfully asks that her case be impartially considered and that so much of the act of 1877, as refers to your petitioner be reconsidered. - And your petitioner will ever pray -

Anita A. Keeny

K
133

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End

Permit for private use, 1908.

Church

ELIZA J. WIDDETT CASE.

Eliza J. Winsett
Case.

15430

1

Sequoyah District Cherokee nation Indian Ter
May 18— 1896

To The Hon Com of
Indian affairs Washington D.C.

I would most
Respectfully State that I am a Cherokee
Woman Blood that my present age
is 40 years that my Father was by the
name of Jno Alfred who was Cherokee
Indian by Blood who lived at Chatanooga
Tenn where I was Borned my Father
and mother is Both dead I have no
Brothers and Sisters living in the
Cherokee nation I was Married to
Man by the name of Alfred Winsett
in the year 1875 Knowing that I
was a Cherokee and Entitled to
Citizenship- I moved in to the Cherokee
Nation in the year 1884 with my Husband
and family and Shortly after my
Arrival to this County I made application
to the Cherokee Council for Citizenship
through my Atty Charles D Frye &
Jno T Drew and at the same time
paied them one hundred & fifty Dollars
and all So Gave them the affidavits of
4 Credible witnesses who had Stated
positively to my relationship to the

Cherokee Tribe Our Atty Stated To
us that with the Guidance we had and
Charley Foreman being a member of the
Senate and Jno. F. Green being Clerk
of the Senate that they would have no
Trouble in getting Our Claim Through
they would report To us Every day for
a Week as near that Every thing was
moving up just right for us. Until
one day Mr Green Came To us and
Told us that the next Week Our Claim
be fore the Committee on Citizenship
Claims that Committee Consisted of
Two men and that he would have To
have one Hundred and fifty Dollars
from us To get the Committy To make
an Early report So being Short of
Money We gave him Forty Dollars and
Told him that we would pay the other
one Hundred and Ten in 20 day if
they would report the Case Through he
Told us To just Stay Quiett and
See nothing a bout this Every thing
would Come up all right in Our favor
the Case went on a while longer and
they Came To us and Told us that they
would not want us There any longer
and that we Could Come home and wate

15430

Mr Fergs. Said that he would bring Our Petitionship papers to us when he Came there So you Can See how Our Council did Rob us & now am a Waire of the fact that the money was all they Cood affter. we Have never been admitted yet and after being Treated as you Can See that we Have and Robed out of our money as we was and Knowing the Provisions that Exists from Benifited Citizens a gainst afficients to Petition ship- do not believe that afficients Could as would get Justice in any of Thais Courts as before any of Thais Tribunals So I Therefore do pray your Honorable body if possible to Have Some Legislative act Pass where by we Could get Justice and So the Question Could be Settled Satisfactory to all

Eliza J Winsett

Sworn to & Subscribed before me this 19th day of May 1886—

Saml Edmondson
Notary Public
Abbeville County S.C.

15430 | INDIAN OFFICE Inclos. No. 0 | 1886

26

End

Claim of Daniel Stout to [illegible]



PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONER AT TAHLEQUAH, I. T.

CASE NO.

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY. PROSECUTES CLAIMS TO CITIZENSHIP.

WILLIAM V. RASMUS,

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,

HAVING PERMANENTLY ASSOCIATED WITH ME

M. O. GHORMLEY,
ATTORNEY,
AN SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLES STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T., Sept 189

IN RE

VS.

Hon Dawes Commission

Vinita I.T.

Sir the Enclosed one Page of Evidence of Isaac Mayfield is additional and a Part and Parsel of the Daniel Stant case and belongs to same so hold Please Make Note & oblige

Rasmus & Ghormley

Sir

AFFIDAVIT.

United States of America
Indian Territory
Northern District } SS.

In the case of D. L. Stout et al claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable "Dawes Commission," authorized under act of the Congress of the United States.

Personally appeared this day before me M. B. Gonzulis a Notary Public within and for the Dist. aforenamed, duly authorized to administer oaths Isaac Mayfield to me personally well known to be reputable and entitled to credit, and who being by me duly sworn, according to law, deposes and says: My name is Isaac Mayfield; my age is 69 years: My post-office address is Tahlequah I.T. ; I am a Farmer by occupation; I am a citizen of the Cherokee Nation by Blood

And affiant declares in relation to the above-named case, as follows, to-wit:

I was acquainted with Daniel Stout I Knew him in Runnels Co Texas to Georgia and I Knew him there in Polken County I Knew his wife Mrs Stout Her name was Elizabeth Stout she was a Franklin before she married I Knew her children I went to school with part of his children and Well acquainted with them yonder there was Chilson or Alford C. Stout & James Phil Stout & Elphinia Stout Bob Bird Stout Henry Lee Stout There Ann- Poothna-

Isaac Mayfield

Subscribed to and sworn before me this 7th day of Sept 99

M. B. Gonzulis
Notary Public
Northern Dist I.T.

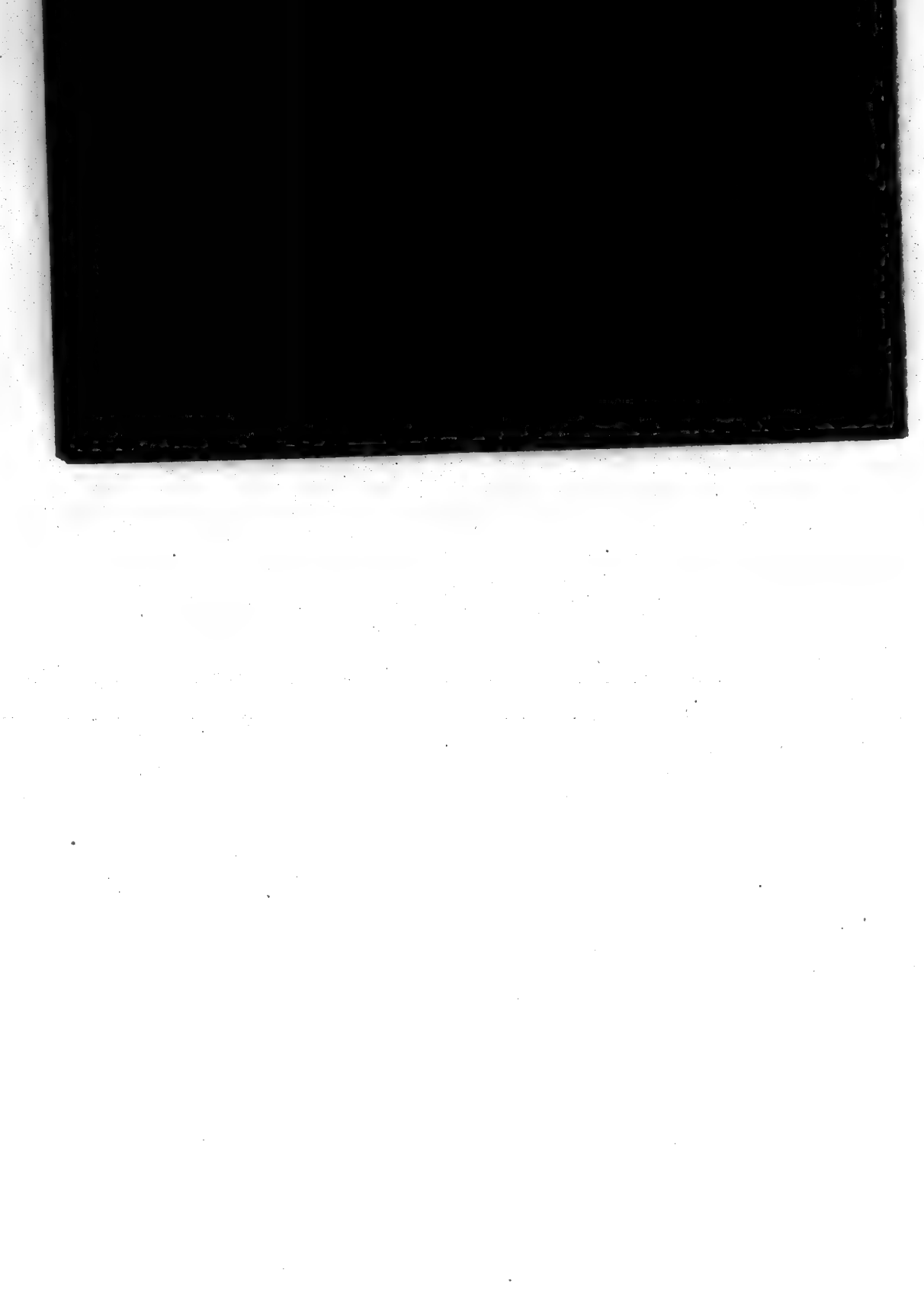
My Comm Exp Nov 16-99-

End

Claim of William Stephens and S.J. Lauderdale to Cherokee Citizenship



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PETITION OF WILLIAM STEPHENS AND OTHERS,

FOR ADMISSION TO CITIZENSHIP IN THE CHEROKEE NATION, INDIAN TERRITORY.

VINITA, IND. TER., August 1, 1896.

To the U. S. Commissioner to the five Civilized Tribes:

Your petitioners, William Stephens, Mattie J. Ayers, Stephen Grant Ayers, Jacob Sherman Ayers and Mattie Ayers present this, their petition, for admission to citizenship in the Cherokee Nation, and allege that the petitioner, William Stephens, is a Cherokee Indian by blood, and that Mattie J. Ayers is his daughter, born in lawful wedlock, and that Stephen Grant Ayers, born January 1st, 1879; Jacob Sherman Ayers, born January 5th, 1881, and Mattie Ayers, born April 9th, 1883, are the children of Mattie J. Ayers, born in lawful wedlock, and are the grand children of William Stephens, the petitioner.

Your petitioners have always claimed citizenship in the Cherokee Nation, and on the faith of their claim have expended about $10,000 in improvements on their claims now occupied by them in Cooweescoowee District, Cherokee Nation, Indian Territory.

The petitioner's (William Stephens') mother was named Sarah Ellington Shoeboots, who was the daughter of Shoeboots, whose Indian name was Te-as-ki-yarga, a full blood Cherokee Indian. William Ellington Shoeboots, the uncle of petitioner William Stephens, was the brother to the mother of petitioner William Stephens, and the son of Shoeboots, whose Indian name was Te-as-ki-yarga. The said William Ellington Shoeboots' name appears on the now resident old settlers' rolls of Cherokees for the year 1851, and has he drawn from the Cherokee Nation his per capita. The grandfather of petitioner William Stephens, Te-as-ki-yarga, died before the treaty of 1835. The claim to citizenship of these petitioners has been duly presented to the Cherokee authorities as required by the laws of said Cherokee Nation, and has been rejected, and the testimony then presented to sustain their said claims is hereto annexed and submitted to sustain the facts stated in this petition. John L. McCoy, William Ellington Shoeboots and John Harnage, whose affidavits are herewith submitted, as aforesaid, are now dead, and were dead at the time of the passage of the act of Congress giving your Commission power to hear and determine the claims of persons for citizenship.

The petitioners for a fuller statement of the facts submit the following statement of William Stephens:

I reside now, and have for the past 24 years resided in the Cherokee Nation, eight miles west of Coffeyville in the State of Kansas. I was born in Clark county, Ohio, on the 9th day of December, 1827; my mother's maiden name was Sarah Ellington Shoeboots, she was a half breed Cherokee Indian by blood.

The story of my mother's blood relationship among the Cherokees is somewhat romantic, which I can only state from what she told me, and from general reputation as the pedigree of the family. At an early day, about the year 1780—the exact date I cannot state—my grandmother, at that time living near Mount Sterling, Kentucky, at a place called Fort Morgan—the Cherokees then occupied territory in the States of Georgia, Tennessee, North Carolina and South Carolina—the Cherokees made an assault on the village where my grandmother lived at that time, she being then only 16 years of age, and among others they took my grandmother into captivity, and subsequently one of the raiding band took her to be his wife according to the customs, usages and laws of the Cherokees. The name of this full-blood who took her to wife was Shoeboots, who was known to the tribe, in their dialect, by the name of Te-as-ki-Yarga.

From this union there were born three children, viz: William, Sarah (my mother), and John, born in the respective years of 1801, 1796, 1794, all of whom were born on Hightower River, in the State of Georgia.

In the year 1802 my grandmother's people, hearing of her whereabouts, went to the Cherokees and to her husband, and prevailed on him, my grandfather, to allow his captive wife and children to return with them on a visit to her people and the scenes of her childhood and native land.

Upon solemn promise from her friends that they would permit her to return with her children to her husband in a certain number of moons, the husband assented to the visit.

The persuasion of relatives and friends dissuaded her from

returning to her husband, and surrounded by white relatives, in the year 1840, she died.

My uncle William remained in Kentucky until after my mother's marriage to my father in Kentucky in the year 1820. In the year 1825 my mother moved to Ohio, and about the year 1827, hearing of the death of her father, she returned to the place of his death and received her distributive share of his estate.

At 21 years of age I left Ohio and moved to the State of Illinois; this was in the year 1849; my mother moved to Illinois where I lived in 1852. We all lived there until 1870. Louis Downing was then Chief of the Cherokee Nation; in that year he issued an invitation to all Cherokees not then residing in the Cherokee Nation to return to their people and home, and in pursuance of this invitation we moved to the Cherokee Nation, and as soon as practicable I filed a petition for my mother, myself and family with the proper Indian authorities, stating the facts constituting my rights as a Cherokee citizen and praying for citizenship, and from that time until the present my family and I have continually resided in the Cherokee Nation. I have 400 acres of land fenced and in cultivation, with houses built thereon, the aggregate value of the improvements put thereon being about $1200. This includes the preparation of the land for cultivation. All I have is here among my people. In speaking of my family it is proper to say that I have only one child living, and she is married to a man named Christopher C. Ayers, to whom several communications, to which attention will hereafter be called, are addressed.

From 1873 to 1887 my claim for citizenship extended, and I have always had a firm reliance in the justness of my cause, and ultimate admission to full citizenship in the Cherokee Nation. There has never been a doubt that I am a lineal descendant of Shoeboots, who was a full-blood Cherokee. I am one-fourth Cherokee Indian by blood.

I have never been treated as an intruder, never served with any process to quit the country as such, and have been treated partially as a citizen, and at one time, to-wit: in the year 1873, I was permitted to vote and participate in the election. My mother was living with me when she died in October, 1875.

I hereto attach exhibits, properly designated, so that your honorable body may at once observe the true condition of my claim.

Your attention is first called to my petition for citizenship, filed April 22, 1879, attached hereto, marked Exhibit "A"; letter of John B. Jones, U. S. Agent for the Cherokees, dated December 6, 1873, marked Exhibit "B"; the affidavits of John L. McCoy, an old Indian who was acquainted with my family from my grandfather down, marked respectively Exhibits "C", "D" and "E," and dated respectively January 31, 1866; February 15, 1888, and May 28, 1891; the affidavit of my mother's brother, William Ellington Shoeboots, giving a full and complete history of my family. He was in 1852 recognized and became a citizen of the Cherokee Nation, said affidavit being marked Exhibit "F." The commission on citizenship, June 16, 1888, rejected my claim to citizenship on a technicality upon the construction of an act therein mentioned, to the Council of the Cherokee Nation through their then chief of said Nation.

Mark well the language of the Commissioner's report: "We are, however, satisfied from the testimony in this cause, that William Stephens, the applicant, possesses Cherokee blood, as his uncle, William Ellington Shoeboots, appears now on the resident Old Settlers' roll of Cherokees for the year of 1851, and that he, William Ellington Shoeboots, is a son of old Te-as-ki-yarga, a Cherokee Indian, who died before the treaty of 1835, who is the grandfather of William Stephens.—Exhibit "F."

November 12, 1887, John Harnage made a statement of my family history, showing my rights to citizenship in the Cherokee Nation, marked Exhibit "H"; November 3, 1888, the Citizenship Commission reported their reasons for not re-admitting me, as will be found in Exhibit "I"; on November 14, 1890, the then Chief of the Cherokees sent a special message to the Cherokee Council, urging that body to admit me to full citizenship. I call your attention especially to this message, as set out in Exhibit "J"; I also attach hereto in the form and the manner above set out, the different communications from various persons, official and unofficial, in relation to my claim, to the end that your honorable body may be fully apprised of all the circumstances in relation to my claim.

I have also in my possession several private letters which are not hereto attached, which are directed to my son-in-law, C. C. Ayers, from private sources, which will be delivered to the Commission if they desire the same. They relate only, however, to the progress and condition of my claim from time to time, and therefore are not considered strictly official.

Under the agreement entered into between the Commissioners of the United States and the Cherokee Nation, and ratified by Congress and the National Council, "All persons not recognized citizens of the Cherokee Nation are to be paid for their improvements when the same is adjusted, and they ejected from our country."

I have refused such payments for my improvements, although tendered to me by the Cherokee Nation, for the reason that I am a Cherokee by blood, and therefore ought to be admitted to full citizenship.

It will be seen that I am not strictly an intruder. I am a Cherokee Indian by blood, and am in the Cherokee Nation by the invitation of the Chief of the Cherokees, as aforesaid.

I desire further to say that I have never received or claimed one cent from any monies paid my people in either Georgia or the Cherokee Nation.

My claim for citizenship is now before you.

Now, nearing the end of life, after spending nearly a quarter of a century among my people in the Cherokee Nation, where I have reared my children, I appeal to you to consider my claim for citizenship, and accord me the rights to which I am, as a Cherokee, entitled. Relying upon the merits of my cause, and with the firm belief that you will deal equitably with me, this petition is respectfully submitted.

WILLIAM STEPHENS,
MATTIE J. AYERS,
STEPHEN GRANT AYERS,
JACOB SHERMAN AYERS,
MATTIE AYERS.

Said above named petitioners state that the facts stated in the foregoing petition are true, as they verily believe.

Signatures:

Sworn to and subscribed before me this the ..... day of August, A. D., 1896.

.....
Notary Public.

EXHIBIT "A"

BEFORE CHEROKEE COMMISSION ON CITIZENSHIP, }
FORT GIBSON, C. N., April 22, 1879. }

William Stephens. }
vs. } Claiming Citizenship.
Cherokee Nation. }

Claimant respectfully presents: That he is a Cherokee Indian by blood, derived from his mother, whose maiden name was Sarah Allinton, who was the daughter of Clarinda Allenton, who (claimant's grandmother on the mother's side) was the wife in one time of a well-known Cherokee named "Shoe-Boot," whose Indian name was well kown in the war of 1812 with the Creeks and the United States. Claimant's grandmother aforesaid was a white woman taken by the Cherokees during one of their early forays, afterwards taken by the said "Shoe-Boot" as his wife, and finally discovered, or was discovered by her family, to whom she returned with children of herself and "Shoe-Boot," one of which children was claimant's mother, then quite young. Claimants own uncle, William Allenton, now living in Bosque county, near Clifton Mills P. O., Texas, was recognized as a Cherokee by the old settler Cherokees, and drew "*per capita*" as such at their payment of 1851-2 for himself and family, and to the record of such fact as well as to himself, claimant respectfully refers—his (claimant's) said uncle claiming and being recognized as the son of the said "Shoe-Boot," a well known Cherokee.

Respectfully submitted,

WILLIAM STEPHENS.

I hereby certify the above and within to be a true and literal copy from the files of this office. This the 6th day of February, A. D. 1880.

WM. P. ASMUS,
Asst. Exec. Sec'y C. N.

EXHIBIT "B"

UNITED STATES AGENT FOR CHEROKEES,
TAHLEQUAH, C. N., Dec. 6, 1873.

This is to certify that Sarah J. Dictus and William Stephens have brought proof to show that they have filed their claims for citizenship before the National Council through the proper channel, but that no action was reached on their cases.

I have also information that there is good evidence to show that these parties are Cherokees by blood. They will, therefore, not be interfered with until further notice from this office.

JOHN B. JONES,
U. S. Agent for Cherokees.

I hereby certify the above and foregoing to be a true and literal copy from the files of this office. This the 6th day of February, 1880.

WM. P. ASMUS,
Asst. Exec. Sec. C. N.

Doc. "M." John B. Jones. Protection Papers. December 6, 1873.

EXHIBIT "C"

Personally appeared before me John Q. Tufts, U. S. Indian Agent, John L. McCoy, a Cherokee citizen, who being

duly sworn makes the following statement in regard to the right to citizenship in the Cherokee Nation of William Stevens:

I knew the mother of William Stevens in the year 1827, in the old Cherokee Nation east of the Mississippi river; I knew she was the acknowledged daughter of Shoe-Boots, a full-blooded Cherokee Indian whom I have seen frequently at the council of the nation. When I first saw her it was at my father's house, who lived at the capital of the Cherokee Nation; she came there en route from the state of Kentucky to settle her father's estate and received her portion. The next time I saw her was at Tahlequah, the present capital of the Cherokee Nation, in the fall of 1874 or '75; her son was with her, who is the William Stevens claiming citizenship in the Cherokee Nation.

JOHN L. MCCOY.

This 31st day of January, 1880.

JOHN Q. TUFTS,
U. S. Indian Agent.

Doc. "C," 7. Deposition of Jno. C. McCoy. January 31, 1880.

ABSTRACT.

I knew William Stephens' mother in the old Nation in 1827; she was the acknowledged daughter of Shoe-Boots; she came to old capital from Kentucky to settle her father's estate, and received her portion; I met her again in 1874 or '75 at Tahlequah with her son, Wm. Stephens, the claimant.

EXHIBIT "D"

COMMISSION ON CITIZENSHIP,
TAHLEQUAH, I. T., Feb. 15, 1888.

William Stephens,
vs.
Cherokee Nation.

Supplementary statement of John L. McCoy:

The affidavit of John L. McCoy, taken before the Tehee court, so-called, read to him and acknowledged by him as his statement made before said court in the fall of 1882. The first time that I saw any of the children of Mrs. Stephens was here at Tahlequah; was some time before the Tehee court, above spoken of. I have no personal knowledge that William Stephens is the son of Mrs. Stephens other than what Mrs. Stephens told me; I think Mrs. Stephens' given name was Annie. When I saw Mrs. Stephens here at Tahlequah I would suppose she was about 70 or 75 years old from her appearance. I don't know whether she had any other children, other than William, or not. My information is that the mother of Annie Stephens was a white woman. I am acquainted with William Stephens, the applicant; Mrs. Stephens, after I saw her here, went back to Kansas and I understand died there. If William Stephens was the son of Mrs. Annie Stephens he would then have been the grandson of Shoe-Boots. I am 75 years old and am a resident and Citizen of the Cherokee Nation.

Mrs. Annie Stephens was not recognized by any Indians here as a Cherokee, except myself, that I know of. I understand that Mr. Stephens informed me that they removed from the state of Illinois to Kansas.

EXHIBIT "E"

In re the Indian Citizenship of Wm. Stephens, now resident of the Cherokee Nation, Indian Territory:

On this 28th day of May, A. D. 1891, personally appeared before me, James Brizzolara, a Notary Public within and for the county of Sebastian, in the State of Arkansas, John L. McCoy, a resident of Canadian district of the Cherokee Nation, Indian Territory, who being duly sworn, deposes and says: He is now 71 years of age, and a Cherokee Indian by blood and recognized as a citizen of the Cherokee Nation; that he has known William Stephens, who is a petitioner for citizenship in and among said Cherokee tribe of Indians, for about nineteen years; that he knew the mother of said William Stephens; she was a half-breed, or of half-blood Cherokee Indian; he knew his mother in the old Cherokee Nation, and first met her there more than sixty years ago; she has, and was then, been recognized as an Indian of the half-blood and of the Cherokee Tribe of Indians; he knew the mother and also the maternal grandmother of said William Stephens; the father of the mother of William Stephens; the grandfather of Mr. Stephens was a leading man among the old Cherokees in the old Cherokee Nation, now a part of Georgia; he was a full-blood Cherokee Indian by blood and was called Capt. Shoe-Boots Oo-toh-se-yah-kee; he was about 6 feet 2 or 3 inches high, of slender build, erect, of very dark complexion, straight black hair, and would weigh about 180 or 200 pounds; he has often seen Capt. Shoe-Boots, and deposes herein to matters within his personal knowledge. The mother of Mr. William Stephens was the daughter of Captain

Shoe-Boots, begotten in lawful wedlock, and Mr. William Stephens is the legitimate son of the daughter of said Captain Shoe-Boots, and therefore the petitioner is one-fourth Cherokee Indian by blood.

JOHN L. McCOY.

Sworn to and subscribed before me this May 28, 1891.

JAMES BRIZZOLARA,
Notary Public for Sebastian Co., Arkansas.

Commission expires January 27, 1894.

Affidavit of John L. McCoy in case of Wm. Stephens vs. Cherokee Nation.

EXHIBIT "F"

OFFICE OF COMMISSIONER ON CITIZENSHIP,
TAHLEQUAH, C. N., Sept. 3, 1883.

William Stevens
vs.
The Cherokee Nation.

William Ellington Shoe-Boots, witness produced in open court, and being duly sworn on part of the claimant, testifies as follows:

My name is William Ellington Shoe-Boots; my age is 84 years next October; I reside in Booca county, Texas; I am a Cherokee by blood; my father was Shoe-Boots, and I received my Cherokee blood from him; his Cherokee name was Te-as-ki-yarga; my mother's name was Clarinda Ellington, a white woman; I was born on Hightower, in Georgia; I went from Georgia into Kentucky; my father sent a negro and some ponies with me and my mother to Kentucky to see some of my mother's people. We lived near Mount Sterling, Ky.; I lived

there with an uncle of mine, Jacob Ellington, a brother of my mother; I was living in Kentucky with claimant's mother, and they went to Ohio; I think they lived then near Hillsboro; William Stevens was the son of Robt. Stevens, a white man; William Stevens' mother was my sister, and Shoe-Boots (Te-as-ki-yarga) was her father; Shoe-Boots was a Cherokee.

Cross-examination by solicitor:

After I left Georgia and went to Kentucky I never came back to Georgia. I had one brother and one sister; there were three children of us; from Kentucky I went to Illinois; I married there and then moved to Missouri; then I went to Texas and staid there; lived here a while in this county at Menfuld's, in Flint, and I have been here four or five times; I came here and drew my Old Settler payment in 1852; claimant's mother is now dead; she died up here at Russell Creek, near Chetopa; then I heard from Jerry Odle where claimant was, and then we sent letters back and forwards; it was understood that my father was a full-blood Cherokee; I recollect seeing my father but I was so little that I don't recollect much about him; I was the youngest of the three children, the other children are dead; I must have been two or three years old when my mother and I went from Georgia to Kentucky; I never saw my father after I left him and went to Kentucky.

By the Court:

My mother told me I was a Cherokee. There is a man here not far off that knew my father; I don't recollect how old I was when my mother died; I don't recollect that I heard of my father's death; the negro that came out to Kentucky with us never went back, we kept him to wait on mother.

How long since you became acquainted with claimant?

I lived near his father in Kentucky; his father was a tanner; I have known him six or seven years; I think I saw the claimant when he was a child; I am not certain, however; it might have been his brother, Jake; I don't think his brother Jake is living.

WM. ELLINGTON his X mark SHOE-BOOTS.

Statement of William Ellington Shoe-Boots before the court. Document H.

EXHIBIT "G"

APPLICATION FOR CITIZENSHIP.

To the honorable the Commission on Citizenship:

GENTLEMEN—The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the constitution and with an act of the National Council, approved December 8, 1886, creating your commission; and respectfully makes the following statement of the grounds of his application, to-wit: That William Stephens is the nephew of one William Allington, or Shoe-Boots, who the undersigned firmly believes was duly enrolled upon the Old Settler census rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1851. The undersigned hereby presents the above facts as the lawful grounds for this his application for Cherokee citizenship by blood, and respectfully awaits the time when his application shall be truly heard and tried in accordance with the aforesaid law. Age, 60 years; postoffice, Coffeyville, Kansas; family,

with their relationship attached, is as follows: Number, one; name, William Stephens; sex, mail; age, 60.

In witness of which application I hereunto set my hand on this the 6th day of June, 1887.

WILLIAM STEPHENS.

C. H. TAYLOR, Attorney.

EXHIBIT "H"

WILLIAM STEPHENS.

OFFICE COMMISSION ON CITIZENSHIP,
TAHLEQUAH, C. N., June 16, 1887.

Docket	No. family	Name	Age	Sex	Residence	Att'y
220	1	William Stephens vs Cherokee Nation, filed June 16, 1887.	60	Male	Coffeyville, Ks. Applicants for Cherokee citizenship, rolls 1851, O. S. Ancestor, William Shoe-Boots	C. H. Taylor

The above case was regularly submitted by plaintiff's attorney, Mr. C. H. Taylor, Mr. Stephens alleging his Cherokee ancestor, one William Shoe-Boots, who, the testimony shows, was his uncle, and not an ancestor under the law, where it says a lineal descendant (Sec. 7 of the Act of Dec. 8, 1886); consequently this commission cannot re-admit such persons to

Cherokee citizenship. We are, however, satisfied from the testimony in this case, that William Stephens, the applicant, possesses Cherokee blood, as his uncle, William Ellington Shoe-Boots, appears on the now resident Old Settler rolls of Cherokees of the year 1851, and that he (William Shoe-Boots) is the son of old Te-as-ki-yarga, a Cherokee Indian, who died before the treaty of 1835, who was the grandfather of the applicant, William Stephens. William Stephens has failed under the above quoted 7th section of the act of December 8, 1886, to establish his citizenship in the Cherokee Nation as is therein required, and is, therefore, under the law, declared not to be a citizen of the said Cherokee Nation.

J. T. ADAIR, Chairman Commission.
D. W. LIPE, Commissioner.
H. C. BARNES, Commissioner.

The above case re-considered by the Commission and reported to the Principal Chief, the same as in the Sayer case, page 197 of this book.

CONNELL ROGERS,
Clerk Com. on Citizenship.

OFFICE COMMISSION ON CITIZENSHIP,
TAHLEQUAH, I. T., Nov. 3, 1888.
EXECUTIVE DEPT., C. N., TAHLEQUAH, Nov. 18, 1890.

I hereby certify that the foregoing is a true copy of the records of the late Commission court, which record is now on file in this office.

C. J. HARRIS,
Asst. Sec. C. N.

Copy of finding of the Commissioner's Court in case of William Stephens vs. Cherokee Nation.

EXHIBIT "J"

November 12, 1887.

William Stephens vs. Cherokee Nation. } Applicant for Cherokee Citizenship.

John Harnage, after being duly sworn, states as follows: I am 70 years old; I reside at Kilgore, Texas; I have met the applicant, William Stephens; I was acquainted with William Ellington; he proved himself to be a Cherokee; in the year 1851 he received annuity from the Cherokee government; his name should appear upon the rolls of 1851, Western Cherokees; I generally met Ellington at the court house in Flint District; I have no knowledge of William Stephens being a relative of Shoe-Boots; I never heard him spoken of; I have heard him speak of one or two sisters, but I do not remember the names; I am not acquainted with Ellington's family; I have a faint recollection of seeing William Shoe-Boots.

Cross-examination:

The investigation of the Ellington case was before a committee of three persons appointed by the Cherokee Nation to determine who were entitled to draw per capita money. The committee was composed of John Harnage, William Drew and Lewis Rogers. He was identified by witnesses who knew him and gave his Indian name; the evidence in the Ellington case showed that his mother was a white woman; I don't think that the evidence at the time of the investigation showed that Ellington had any brother; Ellington, who was the son of Shoe-Boots, takes the maiden name of his mother, Ellington; the evidence before the committee was very conclusive in Ellington's case as

to his Cherokee blood; I do not know what became of Ellington after this; I know nothing of the relationship existing between Stephens and Ellington only what Stephens has told me himself; I became acquainted with Stephens some three or four years ago.

Statement of John Harnage beford Senate Committee on Citizenship.

EXHIBIT "J"

COMMISSION ON CITIZENSHIP,
CHEROKEE NATION, IND. TER.
TAHLEQUAH, November 3, 1888.

Hon. Joel B. Mayes, Principal Chief Cherokee Nation, Tahlequah, Ind. Ter.:

SIR—We, the Commission on Citizenship, have the honor to lay before you the applications for citizenship of William Stevens and William Shoe-Boots and family.

Upon examination of the testimony we are fully satisfied that these parties possess Cherokee blood, and are the parties or persons who they represent themselves to be. William Stevens alleges as his Cherokee ancestor, from whom he has endeavored to prove his rights to citizenship, one William Shoe-Boots, and William Shoe-Boots alleges as his Cherokee ancestor, from whom he has endeavored to establish his citizenship, one John Shoe-Boots. These names, William and John Shoe-Boots, fail to appear on any of the rolls of Cherokees mentioned in the 7th section of act of Dec. 8, 1886, or those mentioned in act of February 7, 1888.

William Shoe-Boots is a son of old Te-as-ki-yarga, a

Cherokee Indian, who died prior to the treaty of 1835, and the brother of Lizzie and Polly Boots, whose names appear on the emigrant roll of Cherokees in Delaware district, for the year 185[illegible] as Cherokees.

Under the 7th section of the act of December 8, 1886, we cannot re-admit William Shoe-Boots and family and William Stevens to Cherokee citizenship, for they have not proven a "lineal descent" from a Cherokee ancestor whose name appears on the rolls of Cherokees mentioned in the before cited laws.

William Stephens is the grandson of old Te-as-ki-yarga, before mentioned, and the nephew of William Ellington Shoe-Boots, whose name appears on the now resident "Old Settler" rolls of Cherokees.

We respectfully report these two cases to you for your consideration and such action as you may deem wise in the premises. Very respectfully, your obedient servants,

J. T. ADAIR, Ch'm,
D. W. LIPE,
H. C. BARNES, } Com.

Referred to the National Council.

J. B. MAYES,
Prin. Chief.

December 4, 1888.

EXHIBIT "K"

EXECUTIVE DEPT., CHEROKEE NATION, I. T.,
TAHLEQUAH, Nov. 15, 1890.

To the Honorable National Council:

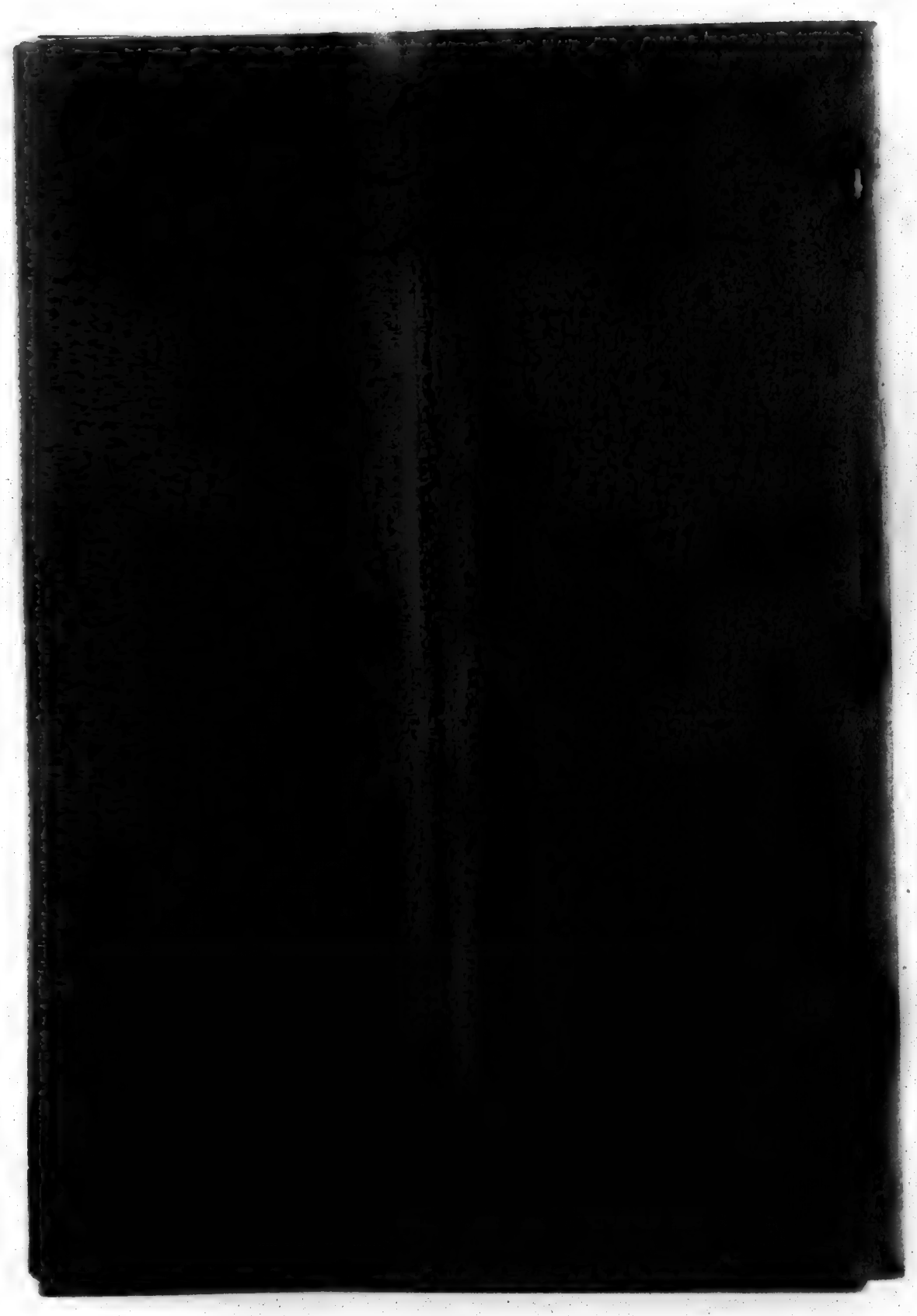
GENTLEMEN—I herewith send papers setting forth the claim of William Stevens to Cherokee citizenship. While it is

your duty to reject all fraudulent claims to citizenship, you should be willing to extend to all our race the same rights with ourselves, as this country was intended for homes for the Cherokee people.

You will perceive from the report of the commission on citizenship, addressed to me, gives a clear statement of Mr. Stevens' status as a Cherokee, and it was only a technical reason why he was not admitted by said commission. His right to citizenship by blood was admitted by this commission.

Under circumstances connected with the matter you will find that the commission court was thoroughly satisfied with the genuineness of this claim; and another thing speaks in favor of Mr. Stevens' claim: he has never joined the notorious "Citizenship Association," but has modestly relied on what he has just cause to believe to be his rights. No doubt his claim is a just one. Very respectfully,

J. B. MAYES,
Principal Chief C. N.



End

Claim of Julia A. Sprowl to Cherokee Citizenship

5500

Cherokee

JULIA A. SPENCER CASE

Julia A. Spencer
Case.

In the Matter and blaime of Julia A
Spencer to bheroakee bateferenship

State of Indian
bounty of Putnam } ss

On this the Twenty - Sixth Day
of March A.D. 1879 Personally appeared before
me Samuel bolivers a Justice of the Peace in and
for the bounty and State as aforesaid Julia A.
Spencer of the bounty of Putnam in the State of
Indiana to me well known and who I hereby
certify to be a bredatable and Respectable Person
and who being by me first duly Sworn according
to law Deposeth and saieth that She is a Person
of bheroakee Indian Descent and resides in the
bounty of Putnam and State of Indiana that
her Age is Fifty Two Years and her Post Office
Address is Portland Mills Putnam bounty State
of Indiana that She was Borne in the bounty
of blank and State of Kentucky and is the Daughter
of one Nancy Yeates a Person of bheroakee Indian
Descent who Died in the bounty of Putnam
and State of Indiana on or about the Tenth
Day of Septtember A.D. 1861 that the said Nancy
Yeates as aforesaid was the Daughter of one
Silsey Harris a Half Breed bheroakee Indian
who was Borne in the bheroakee Nation East
of the Mississippi River and resided with the
bheroakee Tribe of Indians until on or about
the Thirteenth Day of September A.D. 1836 at which

time and date that portion of the Cherokee
Reservation where the said Aisey Barris as
aforesaid and her Husband William Barris a
white Man resided and made Valuable and
permenent improvements was ceded to the
Government of the United States under Provisions
of a Treaty made and Concluded by and between
the Government of the United States and the
Cherokee Nation of Indians on the Fourteenth
Day of September A.D. 1816 and Proclaimed by the
President of the United States on the Thirtieth
Day of September A.D. 1816 that the said William
Barris as aforesaid did purchase the Lands
where said improvements as aforesaid where
made and that the said Aisey Barris and her
Husband William Barris as aforesaid contin-
ued to reside thereon until the Death of the
said Aisey Barris as aforesaid which occurred
on or about the Twenty First Day of June A.D.
1838 Leaving Surviving her a Daughter Nancy
Yeates as aforesaid the Wife of one Larken
B Yeates

Deponent further Says that She and
her Children Viz Thomas L Blankenbeard aged
Thirty Two Years Louisa Rentlo age d Twenty
Three Years and her Grand Children Linda
L Rogers Age Eight Years and Edward Rentlo
Age Eighteen Months are Persons of Cherokee
Indian Descent entitled to all the rights privil

edges and emoluments in the Cherokee Nation
of any other benefits thereof that She and her
children as aforesaid are unjustly and wrongfully
deprived of her and their rights in the Cherokee Nation
that She cannot become entitled to the benefits of the
Cherokee National funds that She therefore asks
that steps be taken by the proper officers of the
Department of the Interior Washington D.C. and Being that the Honorable
Secretary will cause such action to be taken as will
secure her and her children as aforesaid equitable
privileges and emoluments in the Cherokee Nation
as enjoyed by any other citizen thereof and for such
other and further reliefs the Honorable Secretary may
deem proper in the premises

Julia A Spencer

Witness

Daniel Sims

Thomas Labunkenbead

Sworn to and Subscribed before me this the Eighth
day of March A.D. 1879 and I hereby certify that
the contents of the Declaration were read and explained
to the Declarant before Signing, that I have true to
Declarant says that the Statements made in the
foregoing Declaration is made upon her own
knowledge except as to matters stated on information
and belief and as to those matters she believes
them to be true and for such reason and Declares
Sayand that since written Samuel McClure
Justice of the Peace

State of Indiana }
County of Putnam } ss

On this the Seventh Second Day of November A.D.
personally appeared before me Daniel Bruner
a Justice of the Peace in and for the County and
State aforesaid Simeon Hannah of the County
of Putnam in the State of Indiana to me well known
and who Informed being duly sworn on oath deposeth
and saith that he is a Soldier who served in the
Army known according to law by the name of
that he resides in the County of Putnam and State
of Indiana and his age is Seventy Nine Years that
he first entered Service in Bennington Putnam
County State of Indiana that he is well acquainted
with Daniel Bruner that he is well acquainted
with his Declaration Declaration now before him that
he was in the Battle of Bennington that he was
present at the Surrender of Burgoyne that he was
with Daniel Bruner in the Battle of Bennington that
he was present at the Surrender of Burgoyne that
he was with Daniel Bruner in the Battle of Bennington
and Surrender of Burgoyne that he was acquainted
with Daniel Bruner in the County of Putnam and
State of Indiana and he is well acquainted with
Daniel Bruner that he was a Private Soldier
and Served as a Soldier of the Revolutionary War
and that he is reputed and believed in the neighborhood
where he resides to have been a Soldier of the
Revolutionary War and that he is considered
and reputed a Soldier of the Revolutionary War
and that he is considered worthy of credit
and his statements are believed to be true

Witness
Daniel Bruner

Simeon Hannah

Thomas Linkenbeaker

Sworn to and subscribed before me this the Twenty
Seventh day of March A.D. 1894 and I hereby certify
that the contents of the above affidavit were read
and explained to affiant before signing the same
I am not related to said Frank and that I am
not interested in the event of said cause

Samuel Colliver J.P.
Justice of the Peace

State of Indiana }
County of Putnam } ss.

On this the Twenty Seventh day of March A.D. 1894
personally appeared before me Samuel Colliver
a Justice of the Peace in and for County and State
aforesaid Louisa Brandell of the County of
Putnam in the State of Indiana to me well known
and known to be a benevolent and
charitable person and who is duly sworn
upon her oath and saith
that She resides in the County of Putnam and
State of Indiana and has resided for thirty one
years last She is acquainted
Putnam County, State of Indiana that he is well
acquainted with Julia A Spencer the declarant
in the foregoing declaration and have been from
their earliest childhood and know that the said
Julia A Spencer is the identical person She
represents herself to be that the said Julia A
Spencer is the Daughter one Nancy Yeates who
died in the County of Putnam and State of Indiana

POOR ORIGINAL =
BEST AVAILABLE COPY

on or about the 26th day of September A D 1861 that
the said Nancy Yeates as aforesaid was the wife
of one Larkin B Yeates and is the reputed daughter
of William Harris and Nilsey Harris the wife of
the said William Harris as aforesaid
witness Louisa Darnall
Sworn to &
Thomas Linkenbeck
Sworn to and subscribed before me this the
twenty seventh day of March A D 1879 and I hereby
certify that the contents of the above affidavit were
read and explained to affiant before signing the same
Given under my hand and seal the day and
year last above written
Samuel Collier J.P. Seal
Justice of the Peace

State of Indiana }
County of Putnam } ss
I M. D. Bridges Clerk of the Putnam Court
in and for the County and State aforesaid
do hereby certify that Samuel Collier is a
Justice of the Peace in and for the County of Putnam
in the State of Indiana duly commissioned and
qualified as such authorized by the laws of the
State of Indiana to administer Oaths and that
full faith and credit are due to his Official acts
and his Signature as above written as witness
In witness whereof I have hereunto set

Seal and my Name and affixed the Seal of
said Court this the 31st Day of March AD 1879

Moses D Bridges Clerk

6481 | Index | 1879
1272

Declaration &c
of
Julia A Spencer

Respectfully
refers
Jno. J. Ingalls.

1879 | Index No. 2 | 1272

Declaration &c
of
Julius A Upmann

Respectfully
refers
to D. Wagner.

State of Kansas
County of Sheridan } ss

On this the 3ourth Day of June A.D. 1879 Personally appeared before me W.W. Boulter Clerk of the District Court in and for the County and State aforesaid Joshua B Yeates of the County of Sheridan in the State of Kansas to me well known and who I hereby certify to be a creditable and Respectable Person and who being by me first duly Sworn according to law Deposeth and Saieth that he is a Person of Sheridan Indian Desent and resides in the County of Sheridan and State of Kansas that he was Born in the County of Blank and State of Kentucky and his age is Fifty Years that his Occupation is a Farmer and his Post Office address is Brush Creek, Sheridan County, State of Kansas that he is well acquainted with Jahn A Spencer the Defonent named in the fore going Declaration and have been from his Earliest recollection and Knows that the said Jahn A Spencer is a Person of Sheridan Indian Desent and is entitled to all the rights privileges and immunities in the Sheridan Nation of any other Citizen thereof

Witness
D.C. Finn
N. E. Finn

Joshua B Yeates

Sworn to and Subscribed before me this the 3ourth Day of June A D 1879 and I hereby certify that

the contents of the above affidavit was read and explained to the affiant before ~~me~~ the same

In Witness whereof I have hereunto subscribed my name and affixed the Seal of said Court the Day and Year first written

W. W. Cousland
Clerk Dist Court

Declaration &c
of
Julius A Bloomer

Received & filed
12 Feb 1872
Jno. J. Argall,

2 Sheets
INDIANOLA
6781 1870

End

Claim of W.M. & J. C. Guin for Cherokee Citizenship

3611-3619 (3)

Cherokee

A. M. E. S. C. GOIN CASE.

6110 | INDIAN OFFICE | 1889.
Indian Div. ✓

PETITION OF

W. M. Goin

a Cherokee Citizenship Claimant, in the Cherokee Nation, Indian Territory, to the Commissioner of Indian Affairs.

Praying that the time fixed in a notice for his removal from the Cherokee Nation be rescinded, and for other relief.

Sworn to on the 28th *day of* Feb. *1889*

C. BROWNELL,
of
Washington, D. C,
Attorney and Solicitor for Petitioner.

2 inclosures.

To the Honorable Commissioner of Indian Affairs:

Your Petitioner W. M Goin respectfully represents and being first sworn, on oath states that his name is William M Goin that he is 56 years old, that he is the head of a family, that his family consists of his wife and 4 children, whose names and ages are as follows: Marytame Goin Wife 47 years old Cynthia A Goin 24 years old Manley Goin 17 years old Willie Goin 5 years old [illegible] 1 year old

that he resides in the Cherokee Nation, Indian Territory, in Sequoyah District, that his Post-office address is Gallmond Cherokee Nation, Indian Territory, and by occupation he is a Farmer that he owns and posesses the following described improvments and property, in the said Cherokee Nation, in said District, which are stationary and cannot be removed 70 acars of Farming land in said Sequoyah District Fenced and Dwelling house and Barne of the value of Fifteen hundred Dollars

that the said Land and inprovements was by him purchased and acquired of Walter Bard Ross a Native of the Cherokee Nation in the month of May 1884, and that at the time the same did not belong to or form a part of the Cherokee public domain or lands in the Cherokee Nation, but was segregated and owned by said Walter Ross a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation, in such cases made and provided.*) That he is a Cherokee Indian by right of Blood and Descent and that he came from the State of Tennessee and was born in the old Cherokee nation East and moved into the Cherokee Nation, in compliance with the proclamation of the Principal Chief of the Cherokee Nation in 1871 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the stipulations and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee National Council in the month of November 1867 in 18 4 †) but that in Dec 1884 a Commission on Citizenship was enacted and it assuming authority over this Claimant, under and by virture of an act of Cherokee National Council approved Dec 8th 1884 notified, cited or summond this affiant to appear and show cause why he should not be declared an intruder in the Cherokee Nation on the 6 day of June 1888 that this affiant did not appear at said time for the reason ‡) That he Well knew he Could not Comply with the 7 section of the said Act to show lineal Descent on the Squaw Side but Does Claim but that he is a Cherokee by Blood and Descend From his Grand Father whose name was William McGill and a Cherokee by Blood Born and raised and lived in the old Nation East of which is now Called Tennessee and that his Mothers name was Cynthia McGill a Cherokee Indian, who is now living and who lived in Tennessee until Febry 1895 when She moved to Cherokee Nation that the said claim, as he is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 17 day of July 1888 and this claim was rejected, that afterwards to wit: On the 1st day of Sept 1888 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon him the following eviction notice:

"UNION INDIAN AGENCY,
MUSKOGEE, I. T.,
Sept 1st 1888.

W. M. Goin
Sequoyah District Ind Territory

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notify you that you will in six months from this notice be required to leave the Cherokee Nation with all your effects unless by them regularly permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Kesterson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant here alleges the fact to be, that he claim, the facts and conditions are unlike the said John Kesterson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory at the time alleged did not have any jurisdiction over the person or subject matter of this claimant or his case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of his property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, his family and his property. Affiant further states, that he has made all and every effort in his power to sell and dispose of his said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact he is barred from selling only to Cherokee Citizens in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realized for said improvements and property afore-described, this affiant is, and has been unable to sell or dispose of his property within the time specified; that the afore-described is all this affiant has or possesses, and that to sell at the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant, his property and family.

In consideration thereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be entered in this claim, that the said R. L. Owen, or any one under him or by his direction or orders, or [illegible] be restrained and forbidden to in any way disturb, hinder, molest, or deprive this affiant or Claimant in the full control, possession and management of his [illegible] determined, and vacated by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

W. M. Goin

And this affiant will ever pray.
Subscribed and sworn to before me this 29th day of February 1888.
Emily Edmondson
Notary Public

FRAME 1

*) If the land and improvements were taken up out of the Cherokee Nation's public lands, state the fact and from the [illegible] which notice has been taken in your claim, and if *Prima facie* protection papers were issued state the date of same.

†) In the blank lines give a short pedigree statement of the Claimant, and refer to the action of the Cherokee Nation, in the Claim.

Your Petitioner W. M. Goin respectfully represents and being first sworn, on oath states that his name is William M. Goin that he is 56 years old, that he is the head of a family, that his family consists of his wife and 4 children, whose names and ages are as follows: Maryjane Goin wife 47 years old Cynthia A Goin 24 years old Mary Goin 17 years old Lettie Goin 5 years old Wilson M. Goin 1 year old

that he resides in the Cherokee Nation, Indian Territory, in Sequoyah District, that his Post-office address is Tallequah Cherokee Nation, Indian Territory, and by occupation he is a Farmer that he owns and posesses the following described improvements and property, in the said Cherokee Nation, in said District which are stationary and cannot be removed 70 Acres of farming land on said Sequoyah District Fenced and Dwelling house and Barns of the value of Fifteen hundred Dollars

that the said Land and improvements was by him purchased and acquired of Walter Scott Ross a Native of the Cherokee Nation in the month of May 1884, and that at the time the same did not belong to or form a part of the Cherokee public domain or lands in the Cherokee Nation, but was segregated and owned by said Walter Ross a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation, in such cases made and provided.*) That he is a Cherokee Indian by right of Blood and Descent and that he came from the State of Tennessee and was born in the old Cherokee Nation East and moved into the Cherokee Nation, in compliance with the proclamation of the Principal Chief of the Cherokee Nation in 1871 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the stipulations and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee National Council in the month of November 1867 in 18 †) but that in Dec 1884 a Commission on Citizenship was enacted and it assuming authority over this Claimant, under and by virture of an act of Cherokee National Council approved Dec 8th 1884 notified, cited or summond this affiant to appear and show cause why he should not be declared an intruder in the Cherokee Nation on the 6 day of June 1888 that this affiant did not appear at said time for the reason ‡) that he at that time he Could not Comply with the 7 section of the said act to show lineal descent on the Squaw Side of the house but that he is a Cherokee by Blood and Descent From his Grand Father whose name was William McGill and a Cherokee by Blood Borne and Raised and lived in the old Nation East of which is now called Tennessee and that his Mothers name was Cynthia McGill a Cherokee Indian, who is now living and who lived in Tennessee until Febry 1885 when She moved to Cherokee Nation that the said claim, as he is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 17 day of July 1888 and this claim was rejected, that afterwards to wit: On the 1st day of Sept 1888 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon him the following eviction notice:

"UNION INDIAN AGENCY,
MUSKOGEE, I. T.,
Sept 1st 1888.

W. M. Goin
Sequoyah District Ind Territory

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notifiy you that you will in six months from this notice he required to leave the Cherokee Nation with all your effects unless by them regularly permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Kesterson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant here alleges the fact to be, that he claim, the facts and conditions are unlike the said John Kesterson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory at the time alleged did not have any jurisdiction over the person or subject matter of this claimant or his case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of his property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, his family and his property. Affiant further states, that he has made all and every effort in his power to sell and dispose of his said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact he is barred from selling only to Cherokee Citizens in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realized for said improvements and property afore-described, this affiant is, and has been unable to sell or dispose of his property within the time specified; that the afore-described is all this affiant has or possesses, and that to sell at the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant, his property and family.

In consideration thereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be entered in this claim, that the said R. L. Owen, or any one under him or by his direction or orders, or any officer in the United States Indian Service, be and are restrained and forbidden to in any way disturb, hinder, molest, or deprive this affiant or Claimant in the full control, possession and management of his property and improvements in the Cherokee Nation, Indian Territory, until such a time as shall be fixed and determined, and notified by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

W. M. Goin

And this affiant will ever pray.

Subscribed and sworn to before me this 28th day of February 1889.

Emil Edmondson
Notary Public

FRAME 2

*) If the land and improvements was taken up out of the Cherokee Nation's public lands, state the fact and draw the pen through the lines, describing that the land was purchased of a citizen.

†) Here state what action has been taken in your claim, and if *Prima facie* protection papers were issued state the date of same.

‡) In the blank line give a short pedigree statement of the Claimant, and refer to the action of the Cherokee Nation, in the Claim.

Protection Papers Form G W. Ingalls Feb 9th 1887 Form John D. Tufts April 1st 1885

6110 | INDIAN OFFICE / | 1889.

PETITION OF

Jefferson B. Goins

a Cherokee Citizenship Claimant, in the Cherokee Nation, Indian Territory, to the Commissioner of Indian Affairs.

Praying that the time fixed in a notice for his removal from the Cherokee Nation be rescinded, and for other relief.

Sworn to on the 28th day of Feb, 1889

C. BROWNELL,
of
Washington, D. C,
Attorney and Solicitor for Petitioner.

one witness.

To the Honorable Commissioner of Indian Affairs:

Your Petitioner Jefferson C Going respectfully represents and being first sworn, on oath states that his name is J C Going, that he is 42 years old, that he is the head of a family, that his family consists of his Wife Sequah McBee and 4 children, whose names and ages are as follows: Sarah Going Wife 39 years old Thomas M Going 17 years old Randolph Going 10 years old Rosie Going 7 years old Frank Going 2 years old Cynthia A Going Mother of the Petitioner 72 years old

that he resides in the Cherokee Nation, Indian Territory, in 1st District, that his Post-office address is Gillsmood Cherokee Nation, Indian Territory, and by occupation he is a Farmer that he owns and posesses the following described improvements and property, in the said Cherokee Nation, in said District, which are stationary and cannot be removed Fifteen acres of Farming Land in Said Seguah District Fenced and Dwelling House and Barne

of the value of Six hundred Dollars

that the said Land and improvements was by him purchased and acquired of James Proctor a Native of the Cherokee Nation in the month of Dec 1887, and that at the time the same did not belong to or form a part of the Cherokee public domain or lands in the Cherokee Nation, but was segregated and owned by said James Proctor a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation, in such cases made and provided.*) That he is a Cherokee Indian by right of Blood and Descent and that he came from the State of Tennessee and was born in Hamilton County in said State and moved into the Cherokee Nation, in compliance with the proclamation of the Principal Chief of the Cherokee Nation in 1875 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the stipulations and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee national Council in the month of November 1867 in 18[illegible] †) but that in Dec 1887 a Commission on Citizenship was enacted and it assuming authority over this Claimant, under and by virture of an act of Cherokee National Council approved Dec the 8th 1886 notified, cited or summond this affiant to appear and show cause why he should not be declared an intruder in the Cherokee Nation on the 5th day of Jan 18[illegible] that this affiant did not appear at said time for the reason †) That he Could Well knowen he Could not Comply with the 7 section of the said act to show lineal Descent as the Census Rolls there of and that he is Cherokee by Blood and Descent Form his Grand Father Cherokee William McGill and a Cherokee by Blood and Descent Raised and died in the old nation back East in North Carolina or Tennessee and that his mothers name was Cynthia McGill a Cherokee Indian who is now living and lived in Tennessee until Febry 1880 when she moved to the Cherokee Nation that the said claim, as he is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 4th day of July 1888 and this claim was rejected, that afterwards to wit: On the 1st day of Sept 1888 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon him the following eviction notice:

"UNION INDIAN AGENCY,
MUSKOGEE, I. T.,
Sept 1st 1888.

J C Going
Sequah Dest Ind Ter

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notify you that you will in six months from this notice be required to leave the Cherokee Nation with all your effects unless by them regularly permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Kesterson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant here alleges the fact to be, that he claim, the facts and conditions are unlike the said John Kesterson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory at the time alleged did not have any jurisdiction over the person or subject matter of this claimant or his case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of his property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, his family and his property. Affiant further states, that he has made all and every effort in his power to sell and dispose of his said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact he is barred from selling only to Cherokee Citizens in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realised for said improvements and property afore described, this affiant is, and has been unable to sell or dispose of his property within the time specified, that the afore-described is all this affiant has or possesses, and that to sell as the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant, his property and family.

In consideration thereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be issued by him, that the said R. L. Owen, as United States Indian Agent, and his successors in office be restrained from in any way disturbing, hindering, molesting, or depriving this affiant or Claimant in the full control, possession and management of his property and improvements in the Cherokee Nation, Indian Territory, until such a time as shall be fixed and determined, and decided by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

Jefferson C Going

And this affiant will ever pray.

Subscribed and sworn to before me this 2 day of February 1889.

[illegible] Commissioner Notary Public

*) If the land and improvements was taken up out of the Cherokee Nation's public lands, state the fact and draw the pen through the lines, describing that the land was purchased of a citizen.

†) They state what action has been taken in your claim, and if Patent Fee protection papers were issued state the date of same.

††) In the blank lines give a short pedigree statement of the Claimant, and refer to the action of the Cherokee Nation, in the Claim.

Protection papers Issued R. L. Owen November 30 1888

FRAME 1

To the Honorable Commissioner of Indian Affairs:

Your Petitioner [illegible] respectfully represents and being first sworn, on oath, states that [illegible] name is [illegible], that he is 43 years old, that he is the head of a family, that his family consists of his Wife and Mother and 4 children, whose names and ages are as follows: Sarah Jane Wife 39 years old Thomas W [illegible] years old [illegible] 10 years old [illegible] 7 years old [illegible] Mother of this Petitioner 72 years old

that he resides in the Cherokee Nation, Indian Territory, in Illinois District, that his Post-office address is [illegible] Cherokee Nation, Indian Territory, and by occupation a farmer that he owns and posesses the following described improvements and property in the said Cherokee Nation, in said District, which are stationary and cannot be removed Eighteen acres of Farming land in said Illinois District Two Dwelling house and Barne of the value of [illegible]

that the said [illegible] and inprovements was by him purchased and acquired of [illegible] a Native of the Cherokee Nation in the month of Oct 1872 and that at the time the same did not belong to or form a part of the Cherokee public domain or land in the Cherokee Nation, but was segregated and owned by said [illegible] a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation in such case made and provided.*) That he is a Cherokee Indian by right of Blood on the mother side and that he came from the State of Tennessee and was born in Hamilton County in said State and moved in the Cherokee Nation, in compliance with the proclamation of the Principal Chief of the Cherokee Nation in 1872 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the summons and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee national council in the month of November 1867 in 1877 †) but that in Dec 1882 a Commission on Citizenship was created and the governing authority over this Claimant, under and by virtue of an act of Cherokee National Council approved Dec the 8th 1882 notified, cited or summond this affiant to appear and show cause why he should not be declared an intruder in the Cherokee Nation on the 5th day of Jan 1883 that this affiant did not appear at said time for the reason ‡) that he could not Comply with the 7 section of the act to show lineal descent on the Sanders Rolls the 1 and act that he is Cherokee by Blood and Descent from his said Father who was William McGill who was a Cherokee by Blood and Descent Raised and lived in the old nation back East in North Carolina or Tennessee from his Mothers Name was Cynthia McGill a Cherokee Indian who is now living and who lived in Tennessee until Febuary 1880 when she moved to Cherokee Nation that the said claimant is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 4th day of July 1883 and this claim was rejected, that afterwards to wit: On the 1st day of Sept 1888 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon him the following eviction notice:

"UNION INDIAN AGENCY,
MUSKOGEE, I. T.,
Sept 1st 1888.

Jefferson Leguah Dest Ind Ter

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notifiy you that you will in six months from this notice be required to leave the Cherokee Nation with all your effects unless by them required permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Ketcherson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant herewith allege the fact to be, that he claim, the facts and conditions are unlike the said John Ketcherson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory, at the time alleged did not have any jurisdiction over the person or subject matter of the claimant or his case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of his property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, his family and his property. Affiant further states, that he has made all and every effort in his power to sell and dispose of his said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact he is barred from selling only to Cherokee Citizen in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realized for said improvements and property afore-described, this affiant has and has been unable to sell or dispose of his property within the time specified; that the afor-described is all this affiant has or possesses, and that to sell at the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant, his property and family.

In consideration hereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be entered in this claim, that the said R. L. Owen, or any one under him or by his direction or orders, or any officer in the United States Indian Service, be and are restrained and forbidden to in any way disturb, hinder, molest, or deprive this affiant or Claimant in the full control, possession and management of his property and improvements in the Cherokee Nation, Indian Territory, until such a time as shall be fixed and determined, and notified by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

Jefferson Leguah

And this affiant will ever pray.

Subscribed and sworn to before me this 28th day of February 1888.

Wesley Edmondson
Notary Public

FRAME 2

[illegible] of the Cherokee Nation's public lands, state the fact and draw the pen [illegible] protection papers were issued state the date of [illegible] and refer to the action of the Cherokee Nation, in [illegible] R. L. Owen November 30. 1886

Report of C C Duncan
U.S. Ind. Inspector
in case of Emma
J. Goin vs
Cherokee nation.

30477 INDIAN OFFICE, Inclos. No. 13 1893

DEPARTMENT OF THE INTERIOR,
6381 AUG 22 1893

30805 [redacted] OFFICE Inclos. No. 2 1894.

POOR ORIGINAL -
BEST AVAILABLE COPY

Emma J. Goin,

Vs. Fort Smith, Ark., Aug. 8, 1893.

Cherokee Nation.

Report of C. C. Duncan, U. S. Indian Inspector, in the above stated case.

Sir:--

These parties have a case now pending before the Interior Department, and I have taken the testimony in their case to be filed with other papers in connection with the proceedings now in the Department.

Mary Goin, testified:--

I am 53 years of age; live seven miles from Fort Smith, in the Cherokee Nation, wher I have been living for 20 years. My husband was William Madison Goin, who has been dead four months. I have been married 30 years. At that time was living at Hamilton county, Tennessee, which was a part of the old Cherokee Nation. I and my husband had both lived there all our lives until we married. My Children are Cynthia, who has one child, Amanda, who has two children, and Martha Goin. They all live in the Cherokee nation, and have lived there since their birth. Emma Goin, another daughter, died six years ago, leaving one child named Francis. My husband went to Tahlequah and Fort Gibson soon after we moved here to get his citizenship papers. I am a Cherokee by blood on my mother's side. My husband never voted, but had property in the Cherokee nation, including improvements, held by him to the time of his death, and I have it now.

W. J. Watts, sownr, and testified:--

I know William Madison Goin , and J. Goin. I first met them in Tahlequah in 1871, when they were there at a citizenship case trial, and presented before John B. Wanna I do not know what decree was rendered in it. I knew him up to the time of his death . He had farming improvements for several years. I have seen the improvements of W. M. Goin, and they were good, worth $1000.00. I do not know that J. C. Goin had any.

Respectfully submitted,

Hon. Sec. Interior.

C C Duncan
U S Indian Insp

DEPARTMENT OF THE INTERIOR,

Indian Affairs.

No. 30,477, Indian Affairs,1893.

Inclosure No.

Emma J. Goin,)

vs

Cherokee Nation.)

BRIEF FOR THE CHEROKEE NATION.

-----O-----

I. Demurrer to jurisdiction.

It was agreed that a demurrer should be considered filed in this case as in the others and your attention is invited to authorities cited and [illegible] briefs filed in the Cobb, [illegible] cases.

-----O-----

Inspector Duncan said he had no jurisdiction, under his instructions, over the case but only forwarded the testimony taken, for the action of the Department.

Mary Goin insisted that she was part Cherokee, that her husband went to Tahlequah for citizenship but admits that he never voted or exercised any of the privileges of a citizen.

W. J. Watts, testifies that William Malcom Goin made application in 1871 but does not know what disposition was made of the case. Inclosure No. 13. Bonge and Ross, in their statement, in the Watts case, supply this information. They say Council referred it to a Committee and it was reported back, with other cases, "evidence insufficient or unfinished"

(See inclosure No. 31, in the Watts case.)

POOR ORIGINAL
BEST AVAILABLE COPY

But Inclosure No. 14 shows that these parties did not claim to have been admitted. It contains an application to the "Chambers Court" in 1878, and subsequent to that time a petition to the National Council for re-admission to citizenship in the [redacted] application to the [redacted] their ancestor's name was George Fields, through whom they derived Cherokee blood. The opinion of the Court is also appended giving the reasons of an adverse decision.

This case is not insisted on by counsel, it seems, as there is no brief filed for claimants, at least none was furnished the Cherokee Nation.

We deem further evidence or argument unnecessary, the records are conclusive [redacted]

W. W. Hastings,
Attorney General for the
Cherokee Nation.

[redacted]

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POOR ORIGINAL -
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5110

3

Claim of Wm Adair Ryan for Cherokee Indian citizenship.

Sworn statement of Jefferson L. Levin, in support of her statement as to her father's age.

Accompanying petition to Comm. of Indian Affairs of Feb. 25 1884

No. 3.

State of Arkansas }
County of Sebastian }

In the matter of Vandalia Ryan
claim for citizenship in
Cherokee Nation

Jefferson Edmondson being duly sworn
states, I am familiar with
the facts in relation to the claim
of Vandalia Ryan for citizenship
in Cherokee Nation.
That everything stated in affidavit
of said Vandalia Ryan is true,
and that said Vandalia Ryan
is now at her home in Cherokee
Nation sick and is unable to
come to get Clerk to execute
said affidavit, and I
further swear that said
Vandalia Ryan is a full
sister of Mine. Jefferson Edmondson
Sworn and Subscribed
to before me this 28th
day of February 1889.

Samuel Edmondson

Notary Public

Department of Interior
Indian Affairs
7902
No. 30.477 Ind. T. 1893
Inclosure No. 19.

Emma J. Gourd et al.
vs
Cherokee Nation

Request for Papers

Marcum
Dennis Wilson
H. H. Hubbard
Attys for Claimant

30805 | INDIAN OFFICE | Index No. 4 | 1894.

Department of Interior
Indian Affairs.

No. 30,477 Indian Office 1893
Enclosure No. 13

Emma L. Going et al.
vs
Cherokee Nation.

Request for Papers.

The above Claimants desire to submit in this case, together with the report of Inspector Duncan and the evidence taken by him, the following papers now in the office of the Honorable Commissioner of Indian Affairs.

No 15, 396 Ind. Af 1888; No 15,451 Id.; No. 6110 Ind. Of. 1889, Inclosures 1 & 5; Telegram of March 11. 1889 to Agent Owen forbidding the removal of Jacob Ryan, W. M. Going and L. C. Going and all correspondence connected therewith, and any and all papers and records bearing upon the right of the Claimant to Citizenship, and do respectfully request that the above papers and records may be considered in this case

Thos. Marquem. Duncan Mayes
and H. H. Hubbard Attys

Case of W. M. & J. C. Linn.

6110 7

Bill of sale of land
purchased by W. H. Gibbs
to J. J. and Arabella
Gibbs. in the Cherokee
Nation Sequoyah District
May 15th 1873.
Accompanying the
petition to Com. Ind.
Affrs. Feb 20th 1874

No. 2.

Cherokee Nation. Know all men by these presents that I William H. Gibbs of the County of Delaware and Nation aforesaid for and in consideration of the sum of Eight Hundred & Fifty Dollars to me in hand paid by Joseph Wood and Helen Wood of the County of Delaware and Nation aforesaid the receipt whereof is hereby acknowledged have granted bargained and sold and by these presents do grant bargain and sell unto the said Joseph Wood and Helen Wood their heirs and assigns forever the following described tract or parcel of land lying and being in the County of Delaware and Nation aforesaid to wit: The South East quarter of the South East quarter of Section Thirty one (31) in Township Twenty six (26) North of Range Twenty three (23) East containing forty acres more or less according to the survey of the United States. To have and to hold the same with all the appurtenances thereunto belonging to the said Joseph Wood and Helen Wood their heirs and assigns forever. And I the said William H. Gibbs for myself my heirs executors and administrators do hereby covenant with the said Joseph Wood and Helen Wood their heirs and assigns that I will warrant and forever defend the title to the said premises against the lawful claims of all persons whatsoever. In witness whereof I have hereunto set my hand and seal this 15th day of May 1873.

Wm. H. Gibbs (Seal)

Signed sealed and delivered in presence of
Daniel Edmondson Notary Public

Illinois District - Cherokee Nation. May 16th 1873

Know all persons by these presents
that we J.T. & Arabella R. Gibbs do by these
presents bargain sell and convey unto
Wm M. Lewis. the Improvements belonging
to us. And now occupied. by the said Wm M
Lewis for the consideration of one Hundred
and fifty Dollars. to be paid as follows. Twenty
five Dollars in one year from this date and
seventy five Dollars to be paid in two years
from this date. and we J.T. & A R. Gibbs
warrant and Defend the title of said improve
ments to the said Wm M. Lewis. against the
claim of all persons. whomsoever. in Witness
whereof. we have this Day subscribed our
names

J.T. Gibbs

Arabella R. Gibbs

State of Arkansas } I Wm Lewis do solemnly
County of Sebastian } swear that I purchased
the above claim of Gibbs & wife after I had
received information that my claim as
a citizen of the Cherokee Nation had been questioned
by the Supreme Court of the Nation and I further swear
that J.T. Gibbs and Arabella R. Gibbs were both

Cherokee Indians. Yes
by adoption at this time
Sworn to & subscribed
before me this 28th Feby 1899.

By blood and Intermarriage
They are born & Raised -

W. H. Goss

Daniel Edmundson Notary Public

6110 7

Bill of sale of 5 Laws
Rum chance by W. H. Goss
to J. J. and Brothers
Likes in the Cherokee
Nation Respectfully
Ind. T. 1st Feb 1893.
20 compliments &
Intentions to Com. Tues.
Office Feb 2nd 1893

No. 2.

6110 6 1880

32

In the matter of claim for Cherokee Indian heir ship of W. H. Lowe Sequoyah District Illinois P. O. Cherokee Nation Indian Territory Sworn statements of Willie Lowe and Polly Lowe. Accompanying petition to Com. Ind. Affs. of Feb 28 1884.

No 1.

State of Arkansas }
County of Sebastian }
Cis/Sen Township }

In the Matter of the claim
of Citizenship of William M. Goin —
of Cherokee Nation —

William M. Goin being duly
Sworn in relation to the above Matter
Says —

In the Year of 1870 at the Ob-
tained and request of Lewis Downing
then Principal Chief of the Cherokee
Nation. I moved with my family
from East Tennessee into the Cherokee
Nation and at once went to the Capital
of the said Cherokee Nation (Tahlequah)
and called on the Chief Downing and
reported to him that I had come from
Tennessee with my family to claim
my rights as a Cherokee Indian, he
then told all right after I had asked
his advice, He then told me to locate me
a place in the Nation and be a good Citizen
and Send my Children to School, After I
I located in the said Nation and I was
informed by several parties that I
would have to prove my Indian blood
before the Supreme Court, I then taken
my witnesses before the District Judge
Joseph Bushyhead and proved my
Citizenship before him and he
taken down the testimony and sent
it before the Judge of the Supreme
Court John Brown —

and afterwards reported to me that my Citizenship had been approved by the Supreme Court ~~to go ahead and settle on~~ and that all I had to do was to wait until the Council met and they would give me a Certificate and I would be alright
Wm. M. Goin

Mrs Polly Goin being duly sworn Says-

My name is Polly Goin I am a Sister in law to William Goin in the year of 1872 I heard Jacob Bushyhead in the Cherokee Nation tell my husband Nathan Goin that ~~William~~ William Goin claim had passed through the Supreme Court alright.

Polly her X Goin mark

Witness to mark -
Jno. Kennedy Jr

Sworn to and subscribed before me this 25th day of February 1889 by William Goin and Polly Goin and I certify that I am well acquainted with said parties and they are creditable persons and worthy of belief -

In witness whereof I have hereunto set my hand and seal in the city of Fort Smith County of Sebastian State of Arkansas this 25th day of February 1889 -

Daniel Edmondson
Notary Public
Christian Co Miss
Nov 16th 1889 -

My Certificate is filed

6110

Blendita Indian
Citizenship Claim
Transmits Papers
Requesting Withdrawal
Action. Stickland
Post Office Charges
Against Indian Inst.
Requests statement
Wh. he has to do further
Claimant. Accepts
Letter to Comm Ind.
Affs of Feb 28 1894

No 2.

State of Arkansas }
County of Sebastian }

In the matter of the Claim of Vandalia Ryan for citizenship in Cherokee Nation,

W. M. Goin being duly sworn states — I am familiar with the facts in relation to the claim of Vandalia Ryan for citizenship in Cherokee Nation. That everything stated in affidavit of said Vandalia Ryan is true. And that said Vandalia Ryan is now at her home in Cherokee Nation sick and is unable to come to Ft. Smith to swear to said affidavit and I further swear that I am a full brother to said Vandalia Ryan.

W. M. Goin

Sworn and subscribed to before me this 28th day of February 1889.

Daniel Edmondson
Notary Public

6110 | INDIAN OFFICE Index No. 2 | 1889.

PETITION OF

Vandella Ryan

a Cherokee Citizenship Claimant, in the Cherokee Nation, Indian Territory, to the Commissioner of Indian Affairs.

Praying that the time fixed in a notice for her removal from the Cherokee Nation be rescinded, and for other relief.

Sworn to on the 28th *day of* February, 1889

C. BROWNELL,
of
Washington, D. C,
Attorney and Solicitor for Petitioner.

No-1-
2 inclosures

To the Honorable Commissioner of Indian Affairs:

Your Petitioner Vandella Ryan respectfully represents and being first sworn, on oath states that her name is Vandella Ryan that she is 41 years old, that she is the Wife of Ryan, that her family consists of Ryan Husband and No children, whose names und ages are as follows: J Ryan My Husband

that she resides in the Cherokee Nation, Indian Territory, in Illinois District, that my Post-office address is Tahlequah Cherokee Nation, Indian Territory, and by occupation we are farming that She owns and posesses the following described improvments and property, in the said Cherokee Nation, in said District, which are stationary and cannot be removed 100 acres of farming land in Cultivation with good fences 3 houses Barn and other out Building of the value of $2500.00 Twenty five hundred Dollars

that the said Land and inprovements was by her purchased and acquired of W. J. Watts a Citizen of the Cherokee Nation in the month of September 1887., and that at the time the same did not belong to or form a part of the Cherokee public domain or lands in the Cherokee Nation, but was segregated and owned by said W. J. Watts a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation, in such cases made and provided.*) That she is a Cherokee Indian by right of Blood and Decent and that She came from the State of Tennessee and was born in Hamilton County in said State and moved into the Cherokee Nation, in compliance with the proclamation of the Principal Chief of the Cherokee Nation in 1875 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the stipulations and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee National Council in the Month of November 1867 in 18 †) but that in Dec 1878 a Commission on Citizenship was enacted and it assuming authority over this Claimant, under and by virture of an act of Cherokee National Council approved Dec 8 1876 notified, cited or summond this affiant to appear and show cause why She should not be declared an intruder in the Cherokee Nation on the 15 day day of June 1878 that this affiant did not appear at said time for the reason ‡) that she knew she could not comply with the 7th section of the said act to show lineal decent on the censes Rolls there named, but that she is Cherokee by Blood and decent, Being his Grandfather who was William McGill and a Cherokee by Blood and decent, Born Raised and died in the old Nation back East in North Carlina or Tennessee, and that her mothers name was Cyntha McGill a cherokee Indian who is now living and who lived in Tennessee until Febry 1875. When she moved to Cherokee Nation that the said claim, as She is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 15th day of July 1878 and this claim was rejected, that afterwards to wit: On the 29th day of August 1878 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon her the following eviction notice:

"UNION INDIAN AGENCY,
MUSKOGEE, I. T.,
Aug the 29 1888.

Vandella Ryan
Illegonaish Dist. Ind Ter

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notify you that you will in six months from this notice be required to leave the Cherokee Nation with all your effects unless by them regularly permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Kesterson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant here alleges the fact to be, that She claim, the facts and conditions are unlike the said John Kesterson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory at the time alleged did not have any jurisdiction over the person or subject matter of this claimant or her case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of her property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, her family and her property. Affiant further states, that she has made all and every effort in her power to sell and dispose of her said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact she is barred from selling only to Cherokee Citizens in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realized for said improvements and property afore-described, this affiant is, and has been unable to sell or dispose of her property within the time specified; that the afore-described is all this affiant has or possesses, and that to sell at the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant her property and family.

In consideration thereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be entered in this claim, that the said R. L. Owen, or any one under him or by his direction or orders, or [illegible] property and improvements in the Cherokee Nation, Indian Territory, until such a time as shall be fixed and determined, and notified by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

Vandella Ryan

And this affiant will ever pray.
Subscribed and sworn to before me this 11th day of February 1889.

FRAME 1

*) If the land and improvements was taken up out of the Cherokee Nation's public lands, state the fact and draw the pen through the lines, describing that the land was purchased of a citizen.

†) Here state what action has been taken in your claim, and if *Prima facie* protection papers were issued state the date of same.

‡) In the blank lines give a short pedigree statement of the Claimant, and refer to the action of the Cherokee Nation, in the Claim.

Your Petitioner Vandella Ryan respectfully represents and being first sworn, on oath states that her name is Vandella Ryan that she is 41 years old, that she is the Widow head of a family, that her family consists of Jerrald M Hendrix and no children, whose names und ages are as follows: J Segran Ray Hendrix

that she resides in the Cherokee Nation, Indian Territory, in Illegible District, that her Post-office address is Tahlequah Cherokee Nation, Indian Territory, and by occupation she does farming that she owns and possesses the following described improvements and property, in the said Cherokee Nation, in said District, which are stationary and cannot be removed 100 acres of farming land on Illegible with good fences 3 houses Barn and the Illegible Falls of the value of $2500.00 Twenty five hundred Dollars

that the said land and inprovements was by her purchased and acquired of W. J. Watts a Citizen of the Cherokee Nation in the month of September 1887, and that at the time the same did not belong to or form a part of the Cherokee public domain or lands in the Cherokee Nation, but was segregated and owned by said W. J. Watts a Cherokee Indian Citizen, in compliance with the Constitution and laws of the Cherokee Nation, and the Articles of the several treaties made by and between the United States and the Cherokee Nation, in such cases made and provided.*) That she is a Cherokee Indian by right of blood and descent and that she came from the State of Tennessee and was born in Hamilton County and said State and moved into the Cherokee Nation, in compliance with the proclamation of the Principal Chieff of the Cherokee Nation in 1875 and should have full rights of a Cherokee Citizen in the Cherokee Nation in compliance with the stipulations and provisions of Article 1, of the treaty of 1846, made by and between the United States and the Cherokee Nation, and the action of the Cherokee National Council in the Month of December 1880 in 18 †) but that in Dec 1875 a Commission on Citizenship was enacted and it assuming authority over this Claimant, under and by virtuve of an act of Cherokee National Council approved Dec 7 1886 notified, cited or summond this affiant to appear and show cause why she should not be declared an intruder in the Cherokee Nation on the 5 day of June 1888 that this affiant did not appear at said time for the reason ‡) that she knew she could not comply with the 11th section of the said act in showing descent on the Cherokee Rolls there named, but that she is Cherokee by blood and decent, from her Grandfather who was William McGill and a Cherokee by Blood and Decent Born Raised and died in the old Cherokee Country North Carolina or Tennessee and that her mother Mariah was Cynthia McGill a cherokee Indian who is now living and who lives in Tennessee until Feby 1895. When she removed to the Cherokee Nation that the said claim, as she is informed and believes was by said Commission called up, and a form of entering a default was gone through with, by the officers of this Commission on the said 15th day of July 1888 and this claim was rejected, that afterwards to wit:: On the 27th day of August 1888 one, R. L. Owen, as United States Indian Agent at Union Agency, Muskogee, Indian Territory, caused to be served upon her the following eviction notice::

"UNION INDIAN AGENCY,,
Muskogee, I. T.,
August the 29 1888.

Vandella Ryan
Tahlequah, Dist. 2nd Dist

You are respectfully advised that the Cherokee authorities have demanded your removal as an intruder, under decision of the Secretary of the Interior and the Commissioner of Indian Affairs. I notify you that you will in six months from this notice he required to leave the Cherokee Nation with all your effects unless by them regularly permitted. You will dispose of all improvements before that time. During this time you will be as fully protected as possible. This notice applies to all applicants rejected by Citizenship Court as in case of John Kesterson.

"Take due notice and govern yourself accordingly".

Very Respectfully Yours
ROBERT L. OWEN,
U. S. Indian Agent."

Affiant here alleges the fact to be, that she claim, the facts and conditions are unlike the said John Kesterson's case, as appears in this statement, and that the said Cherokee Commission sitting at Tahlequah, Cherokee Nation, Indian Territory at the time alleged did not have any jurisdiction over the person or subject matter of this claimant or her case or claim and that the said R. L. Owen, as the United States Indian Agent, did not and does not have any authority to serve or order to be served on the Claimant such notice for such purpose, but that this affiant well knowing the prejudice and hatred he, the said R. L. Owen, has against Citizenship Claimants, and his aspiring zeal to serve the Cherokee politicians for the purpose of advancing his personal desires, ambitions and ends and to secure and sequester this affiants property and improvements for himself or others, will carry out his threats so made, to evict this Claimant from the Cherokee Nation, seize and confiscate all of her property and improvements, unless positively restrained by the order of the Commissioner of Indian Affairs, to desist from carrying out his threats against this Claimant, her family and her property. Affiant further states, that she has made all and every effort in her power to sell and dispose of her said property and improvements without a considerable sacrifice, but that from the fact the notice was served to run at a time fixed, and the fact she is barred from selling only to Cherokee Citizens in the Cherokee Nation and the Cherokee Citizens have used all influence in their power to prevent a fair and reasonable price to be paid or realized for said improvements and property afore-described, this affiant is, and has been unable to sell or dispose of her property within the time specified; that the afore-described is all this affiant has or possesses, and that to sell at the sacrifice and leave, or be compelled to leave without selling, would cause distress, and great and incalculable and irreparable loss and injury to this affiant, her property and family.

In consideration thereof this affiant prays the Honorable Commissioner of Indian Affairs that an order be entered in this claim, that the said R. L. Owen, or any one under him or by his direction or orders, or any officer in the United States Indian Service, be and are restrained and forbidden to in any way disturb, hinder, molest, or deprive this affiant or Claimant in the full control, possession and management of _____ property and improvements in the Cherokee Nation, Indian Territory, until such a time as shall be fixed and determined, and notified by the Commissioner of Indian Affairs, and approved by the Secretary of the Interior.

Vandella Ryan

And this affiant will ever pray.

Subscribed and sworn to before me this 28th day of February 1889.

FRAME 2

*) If the land and improvements was taken up out of the Cherokee Nation's public lands, state the fact and draw the pen through the lines, describing that the land was purchased of a citizen.

†) Here state what action has been taken in your claim, and if Prince finds protection papers were issued state the date of same.

‡) In the blank lines give a short pedigree statement of the Claimant, and refer to the action of the Cherokee Nation, in the Claim.

Protection Papers from R.L. Owen Nov 30th 1885

APPLICATION FOR CITIZENSHIP.

TO THE HONORABLE COMMISSION ON CITIZENSHIP: GENTLEMEN:—The undersigned your petitioner, this day makes this Her Application for re-admission to citizenship in the Cherokee Nation, accordance with the Constitution and with an Act of the National Council, approved December 8th, 1886 creating your Commission. And, respectfully makes the following statement of the grounds of this Her application, to-wit; That Polly Goins nee Fields is the Daughter of one George Fields who the undersigned firmly believes was duly enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1835 to 62 The undersigned hereby presents the above facts as the lawful grounds for this Her application for Cherokee Citizenship by blood, and resepetfully awaits the time when Her application shall be truly heard and tried in accordance with the aforesaid law.

Age 54 years; Postoffice Vian, I. T.; family with their relationship attached is as follows:

NO	NAMES.	SEX.	AGE.	RELATIONSHIP.
1	Riley Goins	Male	30	Son
2	Elisha "	"	24	"
3	Sherman "	"	20	"
4	Adam "	"	16	"
5	Mary E. "	Fem.	14	"

In witness of which application I hereunto set my hand on this the 28 day of June 1887.

Polly Goins

A. E. Ivey Attorney.

Memorial of
Polly Young and
Susanna Hoit

11

Q

Cherokee Nation
Tahlequah District

To the Honorable Senate
and Council of the Cherokee Nation

The undersigned would Most
respectfully Memorialize your
honorable bodies to be admitted
to the rights of Citizenship of
the Cherokee, we would set forth
that we are Cherokees by blood and
that we Emigrated from the old
Cherokee Nation East, to the Cherokee
Nation west in 1872, and that the
Number of our families, including
Men, women, and Children Number
seventeen (17). and for further proof
of the above facts I would refer your
honorable bodies to Hon John Sanders
Member of the National Council from
Canadian District

Your Memorialists would ever Pray,

his
Polly + Goings
mark
Cevanick by Goings
nore

Statement of
W. Ma. Bly
(2)

To the Hon Commissioner on Cherokee

The undersigned Claimant presents
That he is the Grandson of a
Wm McGee who was a Cherokee as
was also his daughter Cynthia Ann McGee
who is Claimants mother. Claimant
Thinks claim should be allowed by
Virtue of blood and presents his
said claim to the Commissioner under
the law creating the Commission
designating class No 1 of claimants
for Cherokee citizenship

Respectfully
W. In. McGee

Sept. 12th 1878

Memorial of
M. M. Gorin

C

Cherokee Nation
Tahlequah District

To the Honorable
Senate and Council of the Cherokee
Nation

The undersigned would
Most respectfully Memorialize your
Honorable bodies to be admitted as
a citizen of the Cherokee Nation with
his family, and Most respectfully State
to your honorable bodies that Myself
with five (5) Children are Cherokees
by Blood, and that we Emigrated
from the old Cherokee Nation East
to the Cherokee Nation west in the
year of 1870, and for further proof
of the facts of above, I would respectfully
refer your honorable bodies to Hon
John Sevier Member of the National
Council of Canadian District

Your Memorialist will Ever pray

W. M. Goin

Indian Territory
Union Agency

Before me U. S. Indian Agent for the Choctaw and other tribes of Indians and by law duly qualified to administer oaths &c personally appeared R. M. Goin on this 24th Day of September A.D. 1875 Who being duly sworn declared That he was born in the old Choctaw nation East Texas in the year 1833. That he is the son of Cynthy McGill a cherokee. That his right to citizenship in the old Cherokee Nation was never questioned. That he emigrated to the Choctaw Nation Indian Territory in the year 1870. That the following year 1871 he petitioned the Supreme Court of the Cherokee Nation for a certificate of citizenship and he was attended informed by one of the Judges that they had granted the certificate and the matter was laid before the Council and it was rejected without reading the evidence in proof of which he refers to enclosed letter of J. D. Chote who was a member of the

said Council. That he believes that it is impossible for him to get justice in the Cherokee Nation on acct of ~~Political~~ Prejudice existing there against him That the prejudice is not personally against him but against all emigrants. That he makes this statement for the purpose of establishing his claim to Citizenship in the Cherokee Nation to which he is justly entitled.

R. M. Ross

Subscribed and sworn to before me this Day and date first above mentioned.

R. L. Ind Agent

affidavit of
W. M. Lynn
evidence
for
Cherokee citizenship

Office Commission on Citizenship
Tahlequah I. T. June 25, 1887

Polly Sims
Riley "
[redacted] "
Adam "
Mary "
vs
Cherokee Nation

Applicants for Cherokee Citizenship.

Attorney-
George Ziles

Now on this the 24th day of August 1887 comes the above cause for a final hearing. And submitted by argument between the attorney for plaintiff & the attorney on part of the Nation on the evidence taken & submitted in the case of Polly Sims.

The Commission on Citizenship after a careful & impartial investigation of the testimony & having also examined the census Roll of 1835 to 1852 failed to find the name of an ancestor, George Ziles, and the evidence in behalf of applicant not being sufficient, the

Commission thereon declare that the above named parties are not Chinamen by blood & not entitled to any of the rights or privileges of Chinese citizens

J. F. Allen, Chairman Com.
D.W. Life Commissioner.

I certify the above is a true copy of original.

W.H. Mayes
Asst Executive Secty

Documents
Enclo
Enc 1 Green

177 | INDIAN OFFICE, Inclos. No. 14 | 1893

6341

30805 | [illegible] OFFICE Inclos. No. 1 | 1894.

End

Claims of H.H. Hubbard, Chris Hubbard, Elmore and Meredith to Cherokee Citizenship

REGISTRY RECEIPT.

Post Office at Clifton Springs

Registered | Letter | No. 139 Dated August 16, 1894

Received from H. H. Hunkins & Son

Clifton, N.Y.

addressed to Hon. S. H. Mayo

Lockport, N.Y.

United States Court)
for Ind. Ter.) ss.
Northern District)

I, Frank Moore, do solemnly swear that on the 16th day of September 1896. I saw a package registered at the Postoffice at Afton I.T. addressed to Samuel H. Mayes Governor or Chief of the Cherokee Nation, Tahlequah Ind. Ter., that registery receipt No. received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the affidavits of Charles F. Henderson, David Meredith, H.H. Hubbard, and copies of letters by H. H. Hubbard & son, Charles F. Henderson (4) James K. Jones, Jr., H. L. Dawes, and O.H.Platt, the above as additional evidence, in the Meredith, Claim to Cherokee Indian citizenship and in support of the application, which I understand was filed Sept 8th,96.No16, U.S.Commissions No.2265.

Also true copy of an affidavit by W.S.F.Tatum & H.A.Tatum, additional evidence in Henry H. Hubbard Claim No. 389,. Dawes Commissions No 2264.

Also true copy of an affidavit by Charles S. Hubbard, in Charles S. Hubbard claim No 389. Dawes Commissions No 2264.

Also true copy of an affidavit by D.C.Talley, additional evidence in Elmore Claim No 363, Dawes Commission No 2262, application filed Sept 8th.

Frank Moore

Subscribed and sworn to before me this 16th day of Sept. 1896.

Jno J Hubbard
Notary Public.

In the matter of the claim of David Meredith of Afton, Indian Territory, to be admitted to recognition for Cherokee citizenship by the Dawes Commission.

State of Nebraska } ss.
County of Douglas }

Charles F. Manderson, being first duly sworn, testifies and says:

That from I883 to I895, he represented the State of Nebraska, in the Senate of the United States, and that during a large part of this service in the Senate he was a member of the Committee on Indian Affairs.

Affiant says: That he has read the letter of H. H. Hubbard & Son, addressed to affiant, dated Aug. 24th. I896, and has read the affidavits of David Meredith and H. H. Hubbard, and the sundry and divers letters attached to said affidavits, all of which are annexed to this affidavit.

Affiant says: That he remembers to have received certain papers by mail, the acknowledgment of which is contained in affiants letter to said Meredith, dated May, I2th. I892.

Affiant says: That he also remembers to have received from said David Meredith the affidavits referred to in affiants letter to said Meredith, dated May, 23rd. I892.

Affiant also says: That all of the papers received by him from the said Meredith, were filed by him with the Committee of Indian Affairs in the Senate, and the affiants recollection and belief is that said papers were transmitted by him to Hon. Henry T. Dawes who was then chairman of the said Committee. Affiant has no recollection of the contents of the papers received and those transmitted by him, but says that he believes that the affidavits of said David Meredith and H. H. Hubbard hereto attached state substantially the contents of the mislaid papers which affiant says are not in his possession or under his control. All papers referred to herein are hereto attached marked from one to ten inclusive and identified by initials of affiant.

Charles F. Manderson

Sworn to before me and subscribed to by the said Charles F. Manderson, in my presence, at Omaha, in the County of Douglas, State of Nebraska, this I0th. day of Sept. I896, and I certify that the said C. F. Manderson is personally known to me and is the identicall person he represents himself to be.

Notary Public.

H. H. Hubbard,
Local Atty. Cherokee Indian Citizenship Association.

Jno. J. Hubbard,
Notary Public.

H. H. Hubbard & Son,

Attorneys at Law.

References.
Ex-Atty. Gen. A. H. Garland & Son
Washington, D. C.
Hon. R. B. Brenner, President,
3rd. Nat. Bank, Knoxville, Tenn.
Associated Law Offices,
St. Louis, Mo.

Afton, Ind. Ter., Aug. 26th, 1893.

Hon. Charles F. Manderson,

Omaha, Nebraska.

Dear Sir:-

We herewith submit to you affidavit of Mr. David Meredith of Afton Ind. Ter. Who is a Cherokee by blood and descent and an applicant for Cherokee citizenship before the Dawes Commission now sitting at Vinita I.T., to hear and determine such cases.

You will see from his sworn statement and the statement of our Mr. H.H.Hubbard that you received the affidavits mentioned therein, and we also inclose copies of letters from yourself Senators Dawes, Platt and James K. Jones, Clerk of the Senate Committee on Indian Affairs that you may refresh your memory on the subject, this was during the Spring and Summer of 1892 while the Senate Sub.-Committee were holding hearings upon the condition of the Five Civilized Tribes, when the Cherokee Strip agreement and the "Intruder" question in the Cherokee Nation was under consideration.

Those affidavits which are very material and most important testimony in establishing the Meredith family to Cherokee Citizenship have been lost, mislaid or destroyed, Mr. Meredith's only legal remedy as you well know is to set up or prove the contents thereof. Our time is limited to the 10th, of September next to prepare and file the Meredith Claim.

We want you to make as strong an affidavit as you feel warranted in doing corroborating the statements made by Mr. David Meredith and our Col. H. H. Hubbard, and return to us as soon as possible.

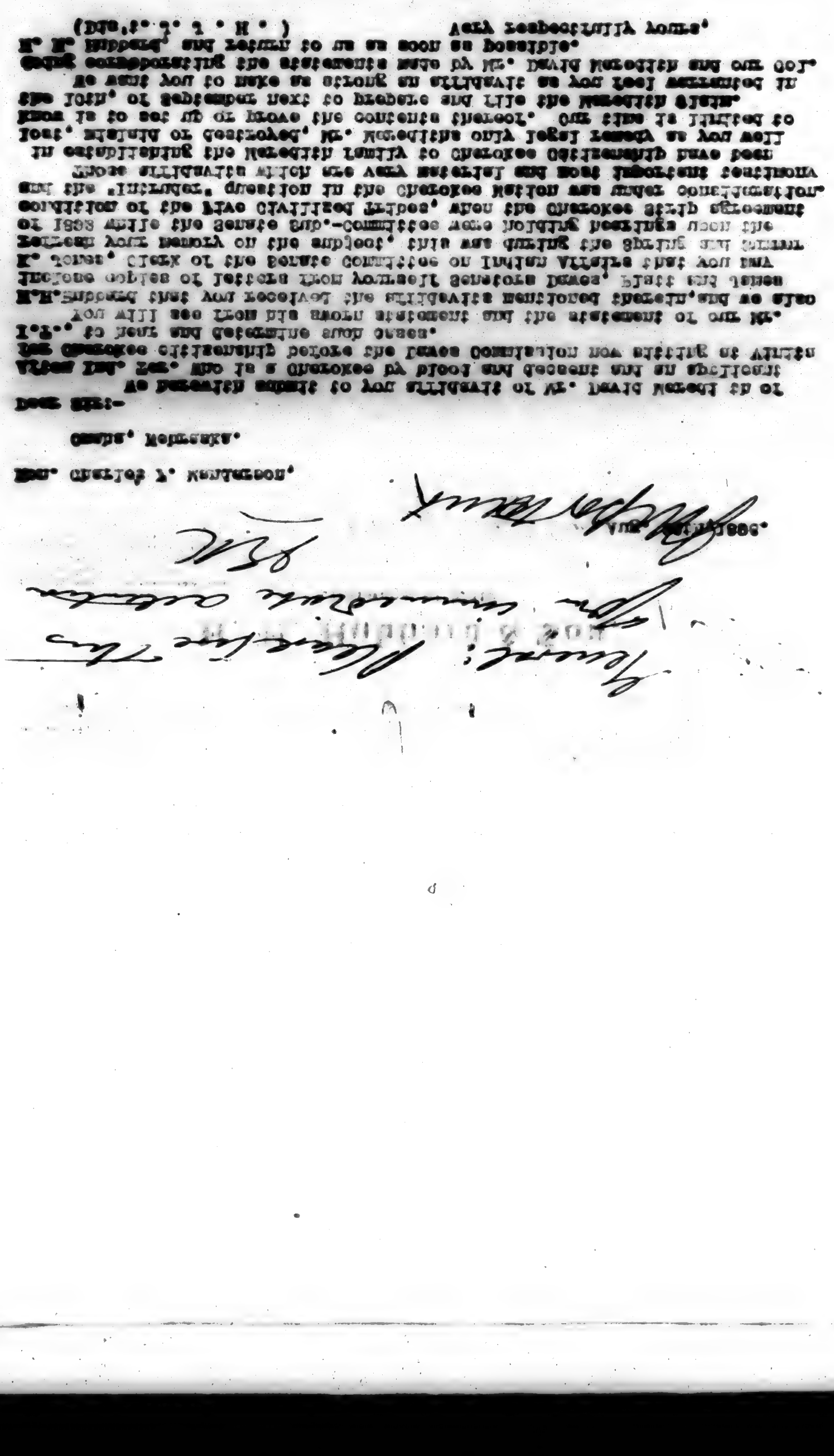
(Dic't. J. J. H.)

Very respectfully yours,

H. H. Hubbard & Son
Per

P.S.

Please return copies of letters and Affidavits,



2. C. Fl. M.

United States Court ( )
For Indian Territory( )ss.
North. District ( )

David Meredith states on oath that he is 55 years old, that he resides in Afton in the Cherokee Nation, Indian Territory, and that his Post Office is the same, that he is a Cherokee by descentand by blood, that on the 17th day of April 1902, that he inclosed and sent by mail to Senator Charles F. Henderson, then a member of the United States Senate at Washington D.C. four affidavits, one by Nathan Meredith between 80 and 90 years old now deceased, one by John Meredith age 73 years now deceased. The contents of both of said affidavits proved that the aforesaid two affiants were personally and well acquainted with one Mary Meredith whose maiden name was Mary Crews and that they knew her to be a Cherokee Indian woman and an acknowledged member of the Cherokee Tribe of Indians. And that the said one David Meredith, who was the acknowledged son of said Mary Meredith and the son of the father one John Meredith, the father of Affiant all by reason of said last named document establishing beyond a doubt that Affiant David Meredith is a lineal descendant of the said Mary Meredith formerly Mary Crews. Affiant states that during the investigation of the Five Civilized Tribes, by a sub- committee of the Senate on Indian Affairs, consisting of Senators Platt, Jones and Pedigrew. Affiant sent said affidavits by mail to Senator Charles F. Anderson with the request that he would present the same to said sub-committee as evidence to how said committee that affiant and his family were Cherokees by lineal descent and not "Intruder as reported by the Cherokee Nation.

Affiant has on repeated requests upon Senator Anderson and Senator Platt and James, the two last named being members of the Senate Committee on Indian Affairs for the return to him, Affiant, of said papers or affidavit but up to this date Affiant has never be A able to obtain them,, Affiant therefore avails himself of this his only legal remedy to put the contents of said affidavits as above stated, before the United States Commission of which the Hon. Henry M. Dawes is chairman, supported by the letters of SenatorCharles F. Henderson, Senator O.H.Platt, Senator H. L. Dawes and the letter of James K. JonesJr. Clerk of the Committee on Indian Affairs of the Senate, marked exhibits, "A". "B". "C". "D"."E". "F".& "G".by this affiant and this affiant on his oath states that the statement of the contents of said affidavits, which he verily believes and believes it to be true, that said affidavits are lost, mislaid or destroyed.

David Meredith

Subscribed and sworn to before me this the 24th day of Aug. 1898

Notary Public.

My Commission expires May 10th 1898.

Duplicate Copy

3. C. Fall

1

United States Court ( )
For Indian Territory( ) ss.
Northern District ( )

H. H. Hubbard states on oath, that he is 71 years old, that he resides in Afton, Cherokee Nation, Ind. Ter. , that he was present in the room of the Committee on Territories in the Capitol at Washington D.C., in which Senator Platt, as Chairman of the sub. said Committee on Indian Affairs was holding sessions for hearings on the conditions of the Five Civilized Tribes during the month of May 1898. when Senator [illegible] laid before said committee some affidavits with an explanation that they came through the hands of Senator Charles F. Manderson of Nebraska, which having been sent to him by David Meredith of Afton Ind. Ter., and that the said affidavits made out a pri-ma- facia case, that the said David Meredith and his ancestors were Cherokees by blood and descent.

The said affidavits were taken possession of by Senator Platt and filed with his papers on the table.

Affiants recollection is that Senator Charles F. Manderson appeared before the said sub. committee and made a statement in regard to having received said affidavits from the said David Meredith and as to their contents calling the attention of the committee to the fact, that such persons as the Merediths were reported by the Cherokee authorities as " Intruders" and that they had affidavits that they were Cherokees by blood and descent.

Affiant at that time was the Attorney and representative in Washington, of the Cherokee Citizenship Association composed of persons claiming Cherokee Citizenship in said Nation by virtue of their Cherokee blood & he watched closely the proceedings before Senator Platts sub committee during the whole of said investigation.

H. H. Hubbard.

Subscribed and sworn to before me this the 24th day of August 1898.

Jno. J. Hubbard
Notary Public.

My commission expires May the 10th 1898.

(Copy)

United States Senate
Washington D.C. May 12th 1892

C. F. M.

Mr David Meredith
Afton St

4.

Dear Sir:

Yours of 9th instant with enclosures is received. I will file the papers with the Committee on Indian Affairs of the Senate for consideration in connection with the bill proposing to ratify the treaty.

Truly Yours
Chas F Manderson

United States Court
For Indian Territory
Northern Dist } ss

I hereby certify that the above and foregoing is a true and correct copy of an original letter from Charles F. Manderson this day presented to me by David Meredith this 21th day of August 1896

Com. Ex. May 10 1898

Jno J Hubbard
Notary Public

(Copy)

United States Senate
Washington DC May 23rd 1892

C.F.M.
5

Mr David Meredith
Afton Ks.

Dear Sir!

Yours of 17th inst with enclosures is received. I will transmit your letter with the affidavits to Hon Henry L. Dawes Chairman of the Committee on Indian Affairs who will send them to the Sub Committeeman having the matter in which you are interested in charge. When you want the papers returned to you, you had better address him suggesting your wish.

Truly Yours
Chas F Manderson

United States Court
For Indian Territory
Northern Dist. } ss

I hereby certify that the above and foregoing is a true and correct copy of an original letter from Chas F. Manderson this day presented to me, by David Meredith, this 21st day of August 1896

Jno J Hubbard
Notary Public

Com. Ex. May 10th 1898

(Copy)

United States Senate

Washington D.C. September 21st 1893

Mr David Meredith

Atoka Indian Territory

6 C F M

Dear Sir

Your favor of 18th instant is received. When the papers or affidavits spoken of by you were received by me, I filed them with the Committee on Indian Affairs of the Senate, and, I presume that they are there among the papers of that Committee, or else in the office of the Secretary of the Senate. I have directed that search be made, and if the papers can be found I will get the necessary permission to withdraw them from the files and send them to you

Truly yours

Charles F Manderson

United States Court
For Indian Territory
Northern Dist } ss

I hereby certify that the above and foregoing is a true and correct copy of an original letter from Charles F Manderson this day presented to me by David Meredith, this 3d day of August 1896

Com. Ex. May 10th 1898

Geo. J. Hubbard
Notary Public

(Copy)

Senate of the United States
Washington D.C. Sept 26th 1893

Hon D.F. Manderson
U.S.S

7 C J.M

Dear Sir:

In reply to your favor of the 21st inst, in which you requested me to find and forward to you four affidavits mentioned in an enclosed letter from David Meredith Afton, Ind. Ter., I have to say that a careful examination of the docket of this Committee shows that no record was ever made of the filing of such affidavits, and they are not to be found now in the Committee room, or in the office of the secretary of the Senate. I had the messenger of the House Committee on Indian affairs look through the papers in that Committee room but such papers could not be found. Neither were they on file in the file room of the House. I saw Mr Darlington, the clerk of the Committee when Mr Dawes was chairman, who went over the docket with me and he is of the opinion that if you turned the papers over to Mr Dawes he failed to file them with Mr. Darlington.

Enclosed I return to you the letters enclosed in your letter, as requested by you

I am very truly yours,

James K. Jones Jr
Clerk of the Committee on Indian Affairs

United States Court
For Indian Territory
Northern Dist } ss

I hereby certify that the above and foregoing is a true and correct copy of an original letter from James K. Jones Jr this day presented to me, by David Meredith, this 3rd day of August 1896

Com. Ex. May 10th 1898

Notary Public

POOR ORIGINAL -
BEST AVAILABLE COPY

1

Copy!

United States Senate
Washington D.C.
September 28th 1893

Mr David Meredith
Afton Indian Territory

C. F. M.

My dear Sir!

I send herewith my letter to you of Nov. 12th 1892, and a letter addressed to me, dated September 26th, from the Clerk of the Senate Committee on Indian Affairs. A very thorough search has been made in both the Committee rooms, and in the offices of the Secretary of the Senate, for the affidavits sworn to by you. These papers were sent by me to Senator Dawes, who was then Chairman of the Committee. Mr Darlington who was the Clerk of the Committee, has been searching whatever of the papers, and he reports that they were retained by Senator Dawes. I do not know what you can do except to write to him at Pittsfield, Massachusetts.

Truly Yours
Charles F. Manderson

United States Court
For Indian Territory
Northern Dist } SS

I hereby certify that the above and foregoing is a true and correct copy of an original letter from Charles F. Manderson this day presented to me by Mr. Meredith, this 24th day of August 1896

Com Ex. May 10th 1898

Notary Public

(Copy)

Pittsfield Mass
Oct. 3d 1893

David Meredith Esq
Afton Indian Ter

9 C. F M

Dear Sir:

I am in receipt of yours. I do not have in my possession the affidavit of which you speak, but I have a recollection of having refered it for consideration either to Senator Platt who then had charge of matters in hand, or to the Interior department for the same purpose. If neither of them has it I cannot tell where it is

Truly yours
H. L. Dawes

United States Court
For Indian Territory
Northern Dist } SS

I hereby certify that the above and foregoing is a true and correct copy of an original letter from H. L. Dawes this day presented to me, by David Meredith, this 31st day of August 1896

Geo J Maddox
Notary Public

Com. Ex. May 10th 1898

No 16

Meredith
Claim to Chinese
Citizenship —
additional testimony

U.S. Commissioner
No 2265

H. H. Hubbard Esq
Atty for

3

Copy

United States Senate

Washington D.C. October 28, 1896

David Meredith Esq
Atoka Indian Ter.

J.M
C
10

Dear Sir

I regret to say that my clerk cannot find in any papers of mine the certificates you mention. I believe I returned all papers that were handed me in that investigation to the Committee, but the clerk of Indian Affairs reports that he has no record of them. I return you the inclosures you sent me

Yours truly
O.H. Platt

United States Court
For Indian Territory
Northern District } SS

I hereby certify that the above and foregoing is a true and correct copy of an original letter from O.H. Platt this day presented to me by David Meredith, this 21st day of August 1896

Jno J Hubbard
Notary Public

Com. Ex. May 10th 1898

No 389

Hubbard Claims
Additional Testimony
Henry H. Hubbard et al

U. S. Commissioner
No 22641

Hubbard Garland Hunter
by
W. W. Hubbard Sons
Attys

6

Hattiesburg, Miss., ... 189...

To .....

.....

.....

M. HEMPHILL. B. C. HEMPHILL.

HEMPHILL BROS.,

REAL ESTATE AGENTS.

YELLOW PINE, CYPRESS, AND FARMING LANDS.

ACCURATE ESTIMATES OF TIMBER FURNISHED.

LAND EXPLORING AND TIMBER ESTIMATING A SPECIALTY.

CORRESPONDENCE SOLICITED.

Dear Sir: Hattiesburg Miss Sept 7th 1896

Personally appeared before me. M. Hemphill Notary Public in Perry County Mississippi W. S. F. Tatum and wife R. A. Tatum of Hattiesburg Perry Co Miss, with whom I am personally acquainted, who state that they are personally acquainted with J. McC. Fuller and wife Bettie L. Fuller and have known them for 3½ years and certify to the following names and ages of their children viz

Their daughter Anna Fuller age about 10 years
" " Jane " " " 8 " "
" son Thomas Mc. " " 6 " "
" " William " " 4 " "
" " Henry " " 3 " "
" daughter Lucie " " " 1 " "

Six children in all.

W. S. F. Tatum
R. A. Tatum

Sworn to and Subscribed before me this 7th Day of September A.D. 1896

M Hemphill Notary Public

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POOR ORIGINAL -
BEST AVAILABLE COPY

State of Indiana }
Henry County. } Affidavit of Charles S.
Hubbard.

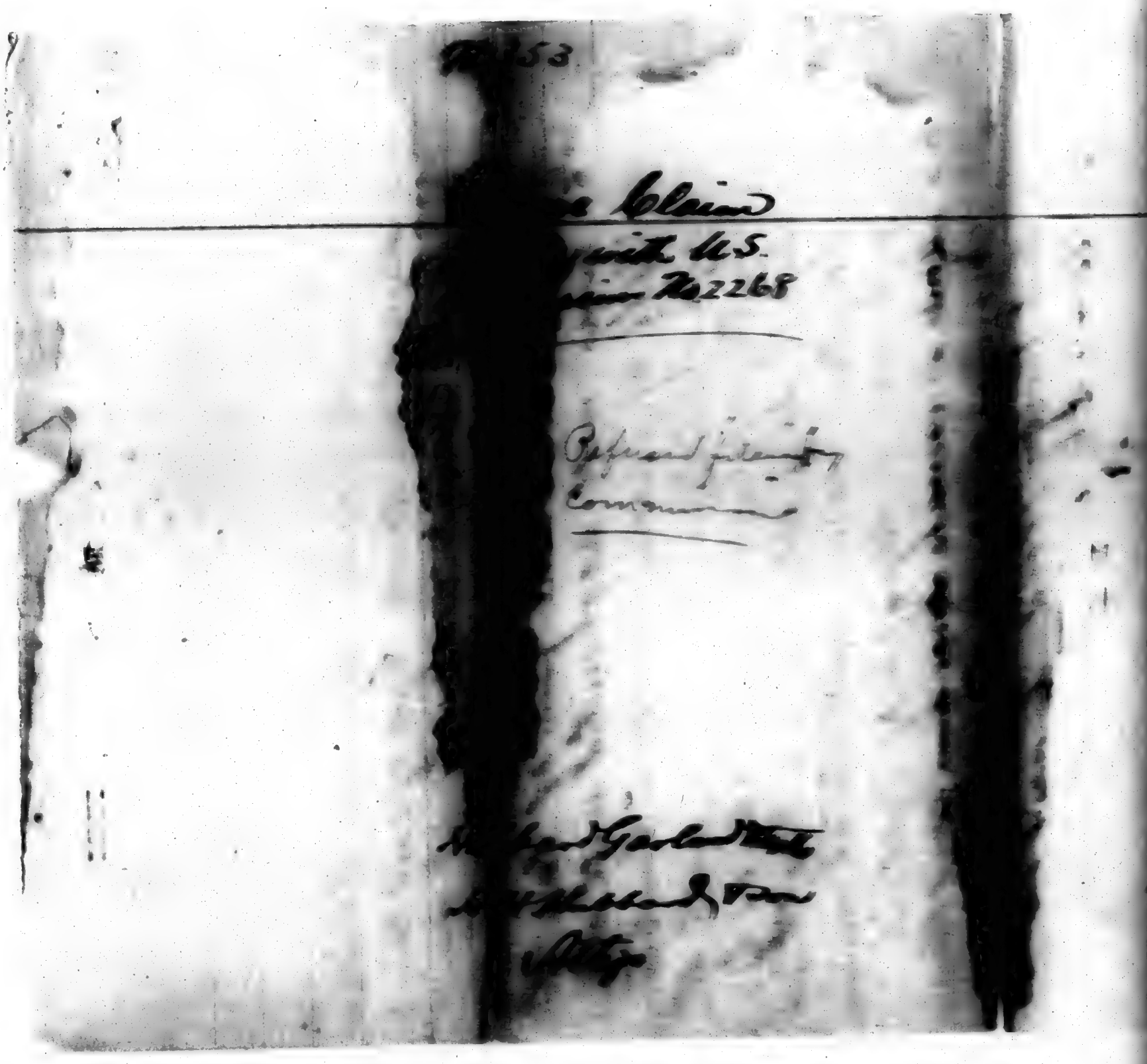
I Charles S Hubbard of
Henry County State of Indiana being first duly
affirmed as his affirmation deposeth and
says that he is the Father of Francis T.
Hubbard whose age is 44 years, and that
Lewis W Hubbard whose age is 19. Clara Anna
Hubbard whose age is 17. and that Samuel
Myers Hubbard whose age is 8 years, are the
Children of Francis T Hubbard aforesaid

Charles S. Hubbard

Subscribed and affirmed to before me this 8th day of
September 1854 in witness whereof I have hereunto
set my hand and affixed seal

Charles M Butler
Notary Public

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The State of Tennessee
County of Madison.

Personally appeared before me J. H. Adamson, Clerk of the County Court of said County D. C. Talley. with whom I am personally [redacted] made[d] [redacted] law form of law that he is well acquainted with A. N. Neff of Jackson Madison County Tenn, and has been familiar with the actions of his family all of his life that said Neff's mothers Maiden name was Sarah Inman who was a daughter of Ezekiel and Hannah Inman said Hannah Inman was a [redacted] and Betsy Woodard said Betsy Woodard was formerly Betsy Elmore a sister of Thomas Elmore of Jefferson County Tennessee.

D. C. Talley

Sworn to & subscribed
before me Sept 8th 1896
J. H. Adamson
County Court Clerk

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End

Document Receipt in Claim of Richard W. Adams to Cherokee Citizenship

Document Receipt in Claim of Richard W. Adams to Cherokee Citizenship



Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, Aug 25th 1896

Received from Richard Winfield Adams copies of

following documents, to-wit:

Application of Richard Winfield Adams
[illegible]
[illegible]
[illegible]
[illegible]
certified to by J. O. Stiles, Notary Public

true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of Richard Winfield Adams

for Cherokee citizenship.

By F. J. Boudinot
Atty for Cherokee Nation

EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

End

Letter and Lists of Names from Attorneys of Cherokee Nation 9/20/93

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Tahlequah, I. T., Sep 26, 1896.

To The Honorable Dawes' Commission,

Vinita, I. T.

Gentlemen:

On the morning of the 21st of September all the mail addressed to the Executive Department of the Cherokee Nation, or the attorneys representing the Cherokee Nation before your Commission, was taken from the post office and filed. Since that date quite a number of claims have been transmitted through the mail to the Principal Chief and we are at a loss, whether it is necessary to make answer to them, or not.

Enclosed herewith are duplicate lists of the names of applicants whose applications were received by us on and after the 10th of September.

It would be a great convenience to us if you would have the claims on these lists, received by your Commission within the limit as stated. In your circular some time ago, and immediately returned to us so that we may be able to answer them within the time prescribed.

Owing to the fact that we do not know whether an answer would be required to any or all of these claims on this list, it might be necessary for us to ask the Commission to kindly grant us a short extension of time on a few of them, as none of them have been investigated, and we do not know whether it will be necessary or not, to obtain additional evidence, other than that now contained in the records of the Executive Department, in making our defense.

Many of these claims, whose names are contained in the list herewith furnished you, were mailed, as the post-mark shows, after the 10th, and at points quite distant from your present place of sitting, and we feel sure were not received by you in time.

Very respectfully yours,

Hutchings & Hutchings & Bankhead

Attys for Cher. Nat.

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Collins T.Tarpley.	Cordelia Chism	Geo.M.Caruth.
John Tarpley.	Wm.J.Hart.	Geo.R.Hart.
Martha J.Davis.	Martha A.Holcomb.	Frank Hayes.
Avaline Moseby.	Jno.B.Holcomb.	Cornelia J.Moseby.
R.L.Hendrick.	Louisa Stripling.	Robert I.Tipping.
Elisha Hall.	Elisha P.Hall.	[redacted]
Lizzie Murphy.	Elias D. Holcomb.	[redacted]
Samson Holcomb.	William E.Davis.	Cora E.Waldruf.
Jennie Ann Despair.	Martha M.Mathews.	S.H.Despair.
Mary E.Heavy.	Anna Mitchell.	Mary A.Culp.
John C.Jackson.	William A.Jackson.	William A. Jackson.
Josiah Jackson.	Jennie C.Lewis.	Samuel D.Jackson.
Robert N.Jackson.	Aletha A.McDonald.	Flora P.Shelley.
Jerusia A.Patterson.	Tamar J.Orrell.	Hettie B. Griffith.
M.A.Smith.	M.E.Orrell.	Sarah F.Pate.
Alice T.Starr.	P.G.Carter.	[redacted]
Emmet B.Richmond.	[redacted]	[redacted]
Louisa A.Brumley.	Elisa J.Perkins.	[redacted]
Susan Manning.	Ida Wilson.	John E. [redacted]
Anna Taylor.	Mary E.Clark.	Mary L.Miller.
Rodney S.Boatright.	John W.Boatright.	Polly Carter.
Eliza A.Nelson.	Zachary T.Folley.	Elisha Roberts.
J.T.Roberts.	Nora A.Violett.	Nacy J.Davis.
Thomas Wilson.	Wm.L.Roberts.	Lizzie M.Turner.
Mattie F.Clevinger.	Ida Lockard.	Susan H.Harris.
W.B.Guinn.	Mary J.Guinn.	John H.Blackburn
Hattie M.Courtney.	Mary E.Tharp.	[redacted]
J.S.Boatright.	Mary A.Mcmillen.	[redacted]
Sallie A.Goldsberry.	Luzenia Glockler.	Theodore B. [redacted]
Jennie Murphy.	Josephone Colbert.	William [redacted]
Ada L.Squirrels.	Jesse B.Perkins.	James B.Boatright
William J.Boatright.	Frank Boatright.	John J.Boatright
Sarah Morham.	Ada B.Kuts.	George W.Boatright
Mary E.Caine.	Wm.N.Boatright.	Francis Boatright

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Wm.C.Whitsett.
Geo. W.Ward.
Cortelia Cherry.
Lou C.Martin.
Geo.Ezell.
John B. Watson.
Anna C. Milligan.
Martha E.Crowen.
Thomas Saylor.
Zebede P.Saylor.
Thomas H.Elliott.
Hatta T.Smith.
Hester Scarlet.
JohnN.Hutchins.
Lewis D.Starr.
Mary A.Lane.
Elizabeth McKennon.
George R.Sims.
Elibeth A.McQuary.
Millis Fuller.
Sarah Hacher.
Bazzie Barnes.
Thomas J.Starr.
John R.Burnham.
Sallie Grann.
Luther Birngam.
Francis Elliott.
Sarah T. Alexander.
Joseph E.Wilkins.
J.S.Tarpley.
Collin A.Wilkins.
Mary E.Judd.
Nora V.Nichols.

Aaron G.Ward.
Celia Ward.
Wm.E.Booker.
Elizabeth James.
Virginia Langford.
Rebecca J.Cook.
L.M.Chromister.
J.M.Bedford.
Martha J.Clark.
Mary A.Clark.
Belinda C.Mellon.
Hannah W.Williams.
Bettie Hillard.
Sarah Huchins.
Thomas J.Starr.
[redacted]
Wilson [redacted].
David T.Mc Qerrry.
Lucy K.Barnes.
Margaret A.Fuller.
Wm.R.Clevenger.
Harriett Barnes.
Lewis D.Starr.
Sallie J.Miller.
R.F.Grow.
Mary E.Sronewall.
Leora W.Elliot.
Collins T.Tarpley.
Sarah J.Lims.
Thomas E.Wilkins.
J.W.Wilkins.
Samuel J.Doughley.
Anna F.Graham.

J.C.Ward.
Nathan Ward.
Graham Ward.
Rhoda McManns.
Carolie M.[redacted]
[redacted]
Wm.J.Moore.
Mary K.Brown.
Nancy Lockard.
JacobC.Elliott.
Rachel V.Carder.
J.R.Huchings.
Thomas Hutchins.
Ruth Hammonds.
[redacted]
James C.Sims.
Leora Donaldson.
Mary E.Lewis.
Joseph Starr.
Stonewall Miller.
Wiley W.Stonewall.
William J.Grow.
Martha A.[redacted]
[redacted]
Laura E.[redacted]
Robert F.[redacted]
Chas.F.Caruth.
Samuel S.[redacted]
Sallie L.[redacted]

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S.J.Strian.	John H. Strain.	Scaly M. Gibson.
Eliza M.Murphy.	W.M.Galleger.	J.C.Whisenhaut.
J.M.Coats.	Wm.H.Talbett.	Thomas O.Talbett.
Dora Garrison.	Hettie E. Weed.	Mary E. Perry.
Nannie C.Moon.	Sarah E. Honey cutt.	John W. Miller.
Susan M. Baird.	Daniel H.Coats.	[illegible]
Joseph H. Miller.	Christy Coats.	[illegible]
Francis Barton.	Cuntha J.Miller.	Rebecca Fine.
Rachel Taylor.	Walter Fine.	Delithat Price.
Pricilla Strain.	James Evans.	Sarah Ballard.
Sarah A. Parnell.	Mary B. Cates.	Louisa P. Davis.
Florence Morrison.	Francis Hudson.	Wm.N.Hudson.
Gouf P.Hudson.	Frank Hudson.	Ellis Pinion.
Mary E.Nicholson.	Calidonia Hurst.	Ora E.Hurst.
Oatis L.Couch.	Louisa Williams.	Francis M.[illegible]
Bettie Pope.	John A. Carroll.	[illegible]
Francis M.Carroll.	[illegible]	[illegible]
A.V.Vantrup.	Amanda Cordell.	[illegible]
T.A.Daugherty.	Carrie M.Shirm.	Mary L.[illegible]
Julia Shumaker.	Mary J.Mathews.	Susan M.Roberts
Lou C. Martin.	W.F.B.Guinn.	Wm.F.Frazier.
Sarah M.Grounds.	Geo. W. Guinn.	Mary Demos.
Geo. Carraway.	Alfred H. Guinn.	Emma J.Harle.
C.M.Guinn.	Mandy A. Woodall.	Mary J. Frazier.
Sallie M. Jeffcoat.	Mary E.Fagg.	Georgia A.Jackson.
Elizabeth M. St.Clair.	Qiunce H.St.Clair.	T.A.Bailey.
Mary E. McKinney.	James M.Frazier.	[illegible]
Martha E. Callis.	Sarah J.Binion.	[illegible]
James F.Guinn.	Harriet McGarry.	Joanna Parr.
Minnie P.Vickers.	Martha E.McLarry.	Mary J.Harris.
N.J.Shields.	D.T.Wilsom.	H.McDonald.
Wm.C.Reed.	Sarah E.Carroll.	H.J.Ingram.
Masilda White.	Sarah E.Yingling.	Campbell Pryor.
Nancy E.Tucker.	James H.Tucker.	Elizabeth Crawford.

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G.T.Adamson.
Ada I.Smith.
William Ursery.
Cynthat Crews.
Miles Parkerson.
L.S.Parkerson.
James J.Stiles.
Nancy S. Stiles.
B.F.Still.
Wm.T.Williams.
John A. Williams.
Fannie Nunley.
William James.
J.D.James.
J.M.James.
Andrew J Lewis.
Wm.M.Bryant.
Elizabeth Smtih.
MollieWilson.
Louisa Crumbliss.
William M.Conley.
John Wm.Messick.
W.M.Moore.
John Ballard.
Susan Wiseman.
Mary Campbell.
George Ballard.
Mary L.J.Daniels.
Lewis F.Contz.
O.O.Tabbott.
Fannie M. Campbell.
Ollie N. Cumphrey.
M.M.Deering.

James M.Scaggs.
Lucinda Williamson.
Margaret A. Williams.
Mary L.Paschal.
Lucy Lowery.
Rachel J.Stiles.
Richard Stiles.
James G.Evans.
Abraham J. Still.
Wm.C.Williams.
Mary E. Carr.
Jeremiah Williams.
R.W.Gillispie.
John M.James.
Levina Lewis.
[redacted]
[redacted]
Mary Cline.
Joseph E.Sweat.
Wm.H.Peters.
J.C.Wright.
Marthat E.Flther.
Tennessee Langham.
Samantha Ann Rutherford.
Geo.W.Ballard.
Sarah Ann Pannell.
Nancy J. Wood.
Louisa P.Davis.
L.A.Clearland.
Nancy J. Banborger.
Martha J.Talbott.
Minnie E.Shaving.
M.T.Wildes.

Hugh G. Miller.
Elisha Ussery.
Chas.P.Parkerson.
M.S.Ursery.
Ida Hitt.
[redacted]
Rachel L.[redacted]
Katie Bullock.
Nannie McGinnis.
Jasper N.Williams.
Tabithat Sears.
Rufus Hale.
J.W.Jordan.
W.B.Terry.
[redacted]
[redacted]
[redacted]
John Sweat.
Wm.C.Wright.
James G.Messick.
William Robbins.
Wm.R.Ballard.
NannieMcKenzie.
A.J.Ballard.
Geo.H.Ballard.
[redacted]
W.T.[redacted]
W.B.Clearland.
Leona D Campbell.
Lydia Johnson.
L.J.Hood.
Effie T.Strain.

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Daniel E.Miller.
Thomas J. Miller.
John H. Miller.
Joshua Miller.
Jemima Morris.
Laura W.Winberly.
Sallie E. Smith.
S.H.Adams.
James H.Jackson.
James R.Jacksnn.
H.D.Logan.
John P.Alexander.
Laura J.Spain.
Jeff W.Miller.
Parthema Reed.
Demisis Shelby.
Thomas A.Justice.
Mary L.Baker.
Martha M.McVoy.
V.H.Russell.
Chas.F.McVoy.
Amanda A.Russell.
J.J.McMenaway.
John McMenaway.
Jeremiah Mc Memaway.
John F.McMenaway.
Mollie Stanley.
John D. Memenaway.
Wm.H.MCmenaway.
Daniel D. Callis.
H.J.Miller.
H.C.Cole.
Mary E.Templeton.
F.C.Evans

Penelope Giles.
Marthat J.Caruth.
Thomas D.Giles.
Mary E. Bennett.
Dora B.Coppie.
Daniel R. Jackson.
Charles W.Jackson.
Sarah J.Boggs.
Wm.J.Jackson.
Charles L.Barnes.
Annie A, Tipps.
Annie H.Lawson.
Maggie C. Lester.
Tempa E.Miller.
Marthat E. Reed.
Nancy Smith.
[redacted]
Wm.R.Young.
Joseph McVoy.
Sarah A.Crowder.
Frank L.McMenaway.
Andrew J.Allen.
Mary A.Stephens.
Wm.B.McMenaway.
Perlua E.Cravens.
Laura J.Gray.
Permelia J.Price.
Catherine E. Hatcher.
Thomas H.Duke.
T.F.Berryhill.
Marah H.Wilkes.
Mary Ellen Crum.
Polly S.Scaggs.

Lillie M.Roberts.
Malissa Caruth.
Gabriel S.Miller.
Laura A.Yokum.
Stephen Furguson.
Eva A. [redacted]
[redacted]harris.
Hattie A. [redacted]irley.
Lidia A.Lawson.
Wm.H.Petty.
Elizabeth Alexander
Catharine B.Kenning
Geo.S.Miller.
M.M.J.Omeal.
Mary A. Woody.
[redacted]
[redacted]
[redacted]
Elizabeth [redacted].
Alice Tigers.
Permelia E.Payne.
Mahala Fields.
Viola Perry.
Geo.M.McMenaway.
Rosa Hall.
Belle J.[redacted]
[redacted]
Jane [redacted]
S.A.Miller.
John Morgan.
J.H.Sweat.
Queen A. Moore.
L.A.Coldwell.

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[illegible],	Chas.L.Fairman,	Lettitia Colding,
T.T.[illegible],	Meadows, Huggins, etal,	John Cox,
Delilah [illegible],	Jason Evans,	Ellen Fowler, etal,
J.L.Parker,	Anna Battis,	Nancy J.Walker,
Noah [illegible],	Augustus L.Rogers,	Jonathan C.Parker,
J.R.& J.T.[illegible],	Sarah Prince,	[illegible],
Rhoda [illegible],	Lucius P.Montieth,	Emily Hyde, [illegible]
Wm.J.[illegible],	M.M.Hyde,	B.M.Hyde,
Lina Robinson,	J.R.Hildebrand,	E.E.Dempsey, et al.,
R.L.[illegible],	Jane McDaniel, Et al,	J.R.Russel,
Lucy A.[illegible],	Sydney Clatterbuck,	William Hayes,
Lucy [illegible],	Deliah Anna Wayland,	Julia Turner,
W.H.[illegible],	Martha A.Walker,	Eli A.Hammer,
William Brown,	Malinda Paterson,	Belle Wagers,
[illegible],	Joseph L.Hawkins,	Wesley Crow, et al.,
Thos A [illegible],	Caroling Wileman,	[illegible],
S.H.Harvey,	James E.Matthews,	[illegible] Dodson,
Mrs. P.J.[illegible],	John A.Martin,	Mary J.Gre[illegible]
Mary E.[illegible],		

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Rachel Massey.	W.L.Moody.	Hinion, et.al.
Mary Yates.	William Flagg.	Louisa Henley.
Thomas Stegall.	Mary C.Gaut.	C.L.Harkins.
James W.Redburn.	Emeline Wyatt.	Charles A.Riggs.
George Teagan.	Olive H. Platt.	Cafiel D.Richardson
Heg Clark.	Joseph W.Davis.	Dora Latta.
America Hoyse.	Martha A. Shumate.	[illegible]
Etna Swearingsen.	Cyntha Ann Sisk.	J.R.[illegible]
Freeman C. Fishback.	Mary Ann Smith.	Mollie Lane.
Carter Cordell.	Robert C.B.Teague.	James W.Burk.
Frank Blevins.	Maud Curtz.	William Roberson.
Lulu Carter.	Mary Fanin.	Fannie Magers.
W.E.Burke.	Jeff Graham.	Mary C.Wright.
Mary Stephens.	Laura B.Robinson.	William V.Davis.
Sallie F.Jobe.	David Murphy.	Bethie Gillam.et.al.
Joseph A.Newby et.al.	H.C.Cowan.	Bertie Cox.
Mary Fondley. et.al.	[illegible]	[illegible]
John Sneed.	[illegible]	[illegible]
Christopher C.Hayes.	William T.Hill.	[illegible]
James Hawkins.	Katie Hannage.	William Brown.
Minnie Dobbins.	S.H.Shuler.	Eljerry Fleetwood.
Jess Millwood.	Dabid Fleece.	Ella Burgeons.
W.A.Fordice.	S.W.Waters.et.al.	W.K.Fielder.
Victoria Arber.	Edward O.Burnside.	John W. Watson.
Vieleta Russell.	Nancy Vansickle.	Walter C.Wallis.
Angelina Wymore.	John W.Wallis.	Mattie Soper.
Thomas Ware Jr.	Ida L.Watson.	John T.Ware.
S.M.Akirs.	E.W.Waire.	L.E.Dale.
A.J.Ware.	E.P.Waire.	[illegible]
Ann Willaims.	Ida Waire.	L.E.Waire.
Ruth A.Shelton.	F.E.Waide.	James Lowe.
Annie C.Russell.	Wm.J.Price.	Mary E.Nickle.
Ida Loveall.	James A.Rea.	Mary E. Cropper.
Luny J. Rea.	Mary C. Evans.	Mary E.McClure.

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Sallie A.Webb.
Charley York.
Hugh Vann.
Nicholas S.Baugh.
Nancy Perkins.
Samuel C. Ledbetter.
W.L.Whisenhunt.
Chas. B. Allen.
Sallie A. Perry.
Daisy Riker.
Willis Mills.
Sarha Ellis.
Susan Emma Mayo.
Ira M. Mooreland.
Julia A.Pucket.
W.W.Downing.
Palestine Tyler.
L.E.Weddington.
J.J.Dancer.
Corena Tetzworth.
Sophia E.Witt.
John W. Hinkle.
Willis Parker.
Sallie Sinaird.
H.C.Waters.
Jesse Brown,et.al.
W.R.Reeder.
Mellen McGuire.
Melissa C.Moore.
A.C.Scott.
Cary W.Allen.
Mac. McNab.
John Ross Trott.
Sallie E.Fisher.

N.E.York.
Amanda House.
Eliza Bassmore.
J.S.Beal. et.al.
Aaron Harland.
F.M.Carter et.al.
John W.Forbes.
Nancy Davis
Delia Allison.
Annie Etherton.
Elizabeth Brown.
A.G.Martin
Dan B.Granger.
Wier and Thorton.
Thomas A. Ward.
Martha Vasseur.
[redacted]
A.J.[redacted].
Sarah Vinsor.
Margaret A. Smithton.
Eliza E. Clingan.
Elizabeth Burgess.
Wm.B.Parker.
William J. Hudson.
H.C.Waters.
Seremma Alred.
Rosa M.Bard.
Clarentine L.Lattimore.
Eliza Hinson.
J.R.Murphy.
Josephine Brudle.
S.L.Moody.
Isaac C.Dawes.
Christin Aters. et.al.

Mike Watson.
R.K.Forrest.
J.E.Striker.
Lucy Wimer.
Thomas J.Lasley.
Beta J.Bourdon.
[redacted]
Sallie Poindexter.
Marthat A. Clark.
Rebecca Cook.
Jonathan Graham.
Catharine Moore.
Luisa M,Arwood.
G.W.Dunn.
Sarah Underwood.
[redacted]
Mary E.Scarbrough.
Amiza Ambrose.
Asa Ward.
B.S.Tinsley.
Hulda Wise.
William Jones.
Elizabeth Barrelson
Godeon L.Brown.
[redacted]
W.T.Ellis.
Fannie Highsmith.
Joseph Atlas.
John B.Williams.
William J.Fisher.
Francis Smith.

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W.A.Clevemger.
Thomas S. Scaggs Sr.
Lelia A. Boughton.
Thomas Jones.
Hosseltile Gunter.
Sarah Watkins.
Sallie Sawwrok.
W.A.Cline.
Dora M.Hall.
Pearl Burford.
Sam H.Heald.
S.M.Ledford.
Mary L. Mozald.
Laura Elps.
W.L.Smith.
Ida Loyd.
J.L.Maxwell.
Emily C. Webb.
Gabb Langley.
C.B.Scarbrogh.
D.T.Wakefield.
Hester Bales.
MalissaJane Price.
David Wolfe.
Robert M. Anderson.
Emma J.Dale
Lewis Rolston.
Ellen Buckner.
Isaac Thornton.
Jackson Franks.
Robert Crockett.
Jas.R.Leatherwood.
Wyatt Stubblefield.
Calhoun,Floyd,et.al.

Minnie Mobley.
Davis C. Boys.
Arabella M.Moreland.
Alphus Henley.
Sallie Hickle.
Nancy Jack.
Elisha Wyatt. [redacted]
Judson Allen.
Lucis W.Allen.
Martha Boalz.
James Heald.
Robert B. Sheppard.
Amanda Endsley.
Joseph Parker.
A.L.Percival.
Rosa Matthews.
[redacted]
J.F.Bricker.
S.N.Scarbrough.
John Burgess.
Geo. Allen.
W.H.Dickenson.
C.Y.Dunlap.
J.H.Shavers.
Arthur L.Dale.
Sallie E.Tucker.
Elizabeth Lee.
Rachel McDaniel.
James M. McCord.
Dudley,Lawrence,et.al.
Susan A.Brewer.
Nancy Jones.
Thomas Norman. et al.

James A.White.
Pove,Prather et.al.
J.R.Boles.
James Brown.
Evans,Embry,etal.
Nicodemus [redacted]
[redacted]
Laura [redacted]
Evan A.Burk.
Jack Robinson.
Frank H. Heald.
Warren E. Thomas.
Mary R. Clark.
A.J.Dawson.
Lucy Hinkle.
[redacted]
Tom Rose.
William Clark.
Oliver P.Byrd.
J.J.Wolfe.
Mary Whittager.
Thomas Lewis et.al.
Soloman J.Redman.
Alice B.Robinson.
C.J.[redacted]
[redacted]
Richard V.Cook.
M.R.Tidwell.et.al.
Geo.W.Vaughan.et.al.
Mrs. Graham,etal.
Jo. Norris et.al.

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Elisha Sherrell.
John J.Boles.
Charlotte Alberty.
John Bedford.
Julia A. McLean.
D.Cranor.
Elizabeth Hyde.
R.J.Jenkins.
Taylor O.Boyles.
Samuel Murphy.
James M. Gann.
Louisa B. Wood.
Malissa Herford.
AndrewwO.Harlin.
Sarah J. Clinton.
Cora Williams.
Nancy Tilley.
James B.Miller.
John K. Edwards.
Robert H.Parks.
G.S.White.
Geo. W.Graham.
William Hayes.
William A. Landgley.
Samuel L.Hyatt.
Jane Colkins.
Nancy C. Peely.
Flora M.Fender.
David R. Swalley.
Marinda Jane Lovelace.
Clarence B.Douglas.
Benjiman Brookshire.
R.S.Linville.
J.H.Leatherwood.

S.M.Leford.
Wm.B.Sherrell.
Matilda Mosely.
John Brinyark.
Florence A. Baxter.
Sarah Knowles.
Laura J.Thom[illegible]
Valley Harris.
W.M.Patton.
Emma F.Bradley.
Jasper Sherrell.
Norton Carson.
George Catlett.
Newton J. Reed.
Marum A.Tilley.
Rachel Bradshaw.
John [illegible].
[illegible] Miller.
Lewis Hays.
Micajah Stephens.
M.H.Watts.
R.J.Boykin.
Georgia A.Wartman.
A.W.Talkinfton.
Mary Ellen Moss.
R.A.L.Hyatt.
Malissa Presly.
Thomas A. Swalley.
Lucilla Harris.
Bateman Hix.
Willaim S.Andwork.
Issac Barnett.
M.D.Mederis.
Hellison Work.

S.M.Leofrd.
J.T.Lown.
Voctoria Pulliam.
Chas. J. Ward.
S.F.Jones.
Goe.C.Sherrell.
[illegible]
Mary West.
Lucy Clinton.
Alice Juvell.
Julia A. Ray.
Mrs. Sanders.
Calwin Snow.
James Talley.
[illegible]
Mollie D.[illegible]
Matilda F. Berr[illegible]
S.Burnside.
Roda Murrett.
Ellen Bingham.
Witt Adair.
John M.Fields.
Susan M.Davis.
Elizabeth [illegible]
[illegible]
Joseph Birchfield.
Bernice L.Culber[illegible]
John Sandwook.
M.T.Smith.
Annie Comer.

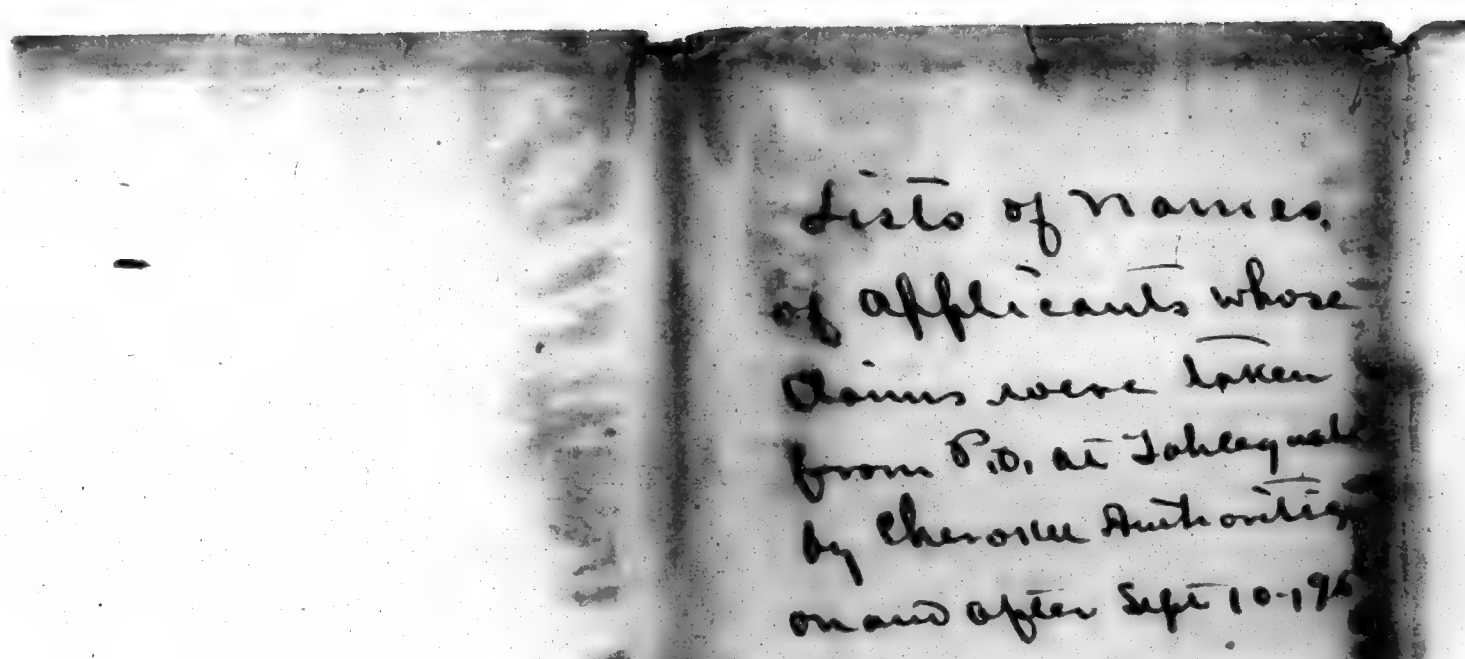
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Alice Parsley. Theodisa Garner. Ada Shibley.

Belle Shibley. Eva Adams. Martha J.Parsley.

End

Lists of Names of Applicants Who [illegible] from P.O. at Tahlequah by Cherokee Authorities on and after Sept. 10 1896


Lists of Names
of Applicants whose
Claims were taken
from P.O. at Tahlequah
by Cherokee Authorities
and after Sept 10-1896

Collins T.Tarpley.
John Tarpley.
Martha J.Davis.
Avaline Moseby.
R.L.Hendrick.
Elisha Hall.
Lizzie Murphy.
Samson Holcomb.
Jennie Ann Despair.
Mary E.Heavy.
John C.Jackson.
Josiah Jackson.
Robert N.Jackson.
Jerusia A.Patterson.
M.A.Smith.
Alice T.Saarr.
Emmet B.Richmond.
Louisa A.Brumley.
Susan Manning.
Anna Taylor.
Rodney S.Boatright.
Eliza A.Nelson.
J.T.Roberts.
Thomas Wilson.
Mattie F.Clevinger.
W.B.Guinn.
Mattie M.Courtney.
J.S.Boatright.
Sallie A.Goldsberry.
Jennie Murphy.
Ada L.Squirrels.
William J.Boatright.
Sarah Morhan.
Mary E.Caine.

Cordelia Chism
Wm.J.Hart.
Martha A.Holcomb.
Jno.B.Holcomb.
Louisa Stripling.
Elisha P.Hall.
Elias D. Holcomb.
William E.Davis.
Martha M.Mathews.
Anna Mitchell.
William A.Jackson.
Jennie C.Lewis.
Aletha A.McDonald.
Tamar J.Orrell.
M.E.Orrell.
P.G.Carter.
Nancy M.Richmond.
Elisa J.Perkins.
Ida Wilson.
Mary E.Clark.
John W.Boatright.
Zachary T.Folley.
Nora A.Violett.
Wm.L.Roberts.
Ida Lockard.
Mary J.Guinn.
Mary E.Tharp.
Mary A.Mcmillen.
Luzerna Glockler.
Josephene Colbert.
Jesse B.Perkins.
Frank Boatright.
Ada B.Kutz.
Wm.M.Boatright.

Geo.M.Caruth.
Geo.R.Hart.
Frank Hayes.
Cornelia J.Moseby.
Robert I.Tipping.
William A. Holcomb.
James Holcomb.
Cora E.Waldruf.
S.H.Despair.
Mary A.Culp.
William A. Jackson.
Samuel D.Jackson.
Flora P.Shelley.
Hettie B. Griffith.
Sarah F.Pate.
Ballard Richmond.
James R.Foley.
Thomas Clark.
John E. Elmore.
Mary L.Miller.
Polly Carter.
Elisha Roberts.
Nacy J.Davis.
Lizzie M.Turner.
Susan H.Harris.
John H.Blackburn.
Nancy E.Yingst.
A.B.Foley.
Theodore B. Cox.
William Mcmillen.
James B.Boatright.
John J.Boatright.
George W.Boatright.
Francis Boatright.

[illegible]	Aaron G.Ward.	J.C.Ward.
[illegible]	Celia Ward.	Nathan Ward.
[illegible]	Wm.E.Booker.	Graham Ward.
[illegible]	Elizabeth James.	Rhoda McManus.
[illegible]	Virginia Langford.	Carolie M.Howell.
[illegible]	Rebecca J.Cook.	J.W.Watson.
[illegible]	L.M.Chromister.	Wm.J.Moore.
[illegible]	J.M.Bedford.	Mary K.Brown.
[illegible]	Martha J.Clark.	Nancy Lockard.
[illegible]	Mary A.Clark.	JacobC.Elliott.
[illegible]	Belinda C.Mellon.	Rachel V.Carder.
[illegible]	Hannah W.Williams.	J.R.Huchings.
[illegible]	Bettie Hillard.	Thomas Hutchins.
[illegible]	Sarah Huchins.	Ruth Hammonds.
[illegible]	Thomas J.Starr.	Joseph Starr.
[illegible]	Hattie J.Miller.	Henry T.Flint.
[illegible]	Wilson Nelson.	Margaret J.Sims.
[illegible]	David T.Mc Qerrry.	Samuel F.Kennedy.
[illegible]	Lucy K.Barnes.	James C.Sims.
[illegible]	Margaret A.Fuller.	Leora Donaldson.
[illegible]	Wm.R.Clevenger.	Mary E.Lewis.
[illegible]	Harriett Barnes.	Joseph Starr.
[illegible]	Lewis D.Starr.	Stonewall Miller.
[illegible]	Sallie J.Miller.	Wiley W.Stonewall.
[illegible]	R.F.Grow.	William J.Grow.
[illegible]	Mary E.Stonewall.	Martha A.Gum.
[illegible]	Leora W.Elliot.	Robert Wilkins.
[illegible]	Collins T.Tarpley.	Sarah E.Hayes.
[illegible]	Sarah J.Lims.	Laura E.Boston.
[illegible]	Thomas E.Wilkins.	Robert P.Crouth.
[illegible]	J.W.Wilkins.	Chas.F.Caruth.
[illegible]	Samuel J.Doughley.	Samuel S.Tarpley.
[illegible]	Anna F.Graham.	Sallie L.Salling.

S.J.Strian.
Eliza E.Murphy.
J.E.Coats.
Dora Garrison.
Minnie C.Moon.
Susan M. Baird.
Joseph H. Miller.
Francis Burton.
Ethel Taylor.
Priscilla Strain.
Sarah A. Parnell.
Florence Morrison.
Geuf P.Hudson.
Mary L.Nicholson.
Jattie L.Couch.
Bettie Pope.
Francis M.Carroll.
A.V.Vantrup.
T.A.Daugherty.
Julia Shumaker.
Lou C. Martin.
Sarah M.Grounds.
Geo. Carraway.
C.L.Guinn.
Sallie E. Jeffcoat.
Elizabeth E. St.Clair.
Mary E. McKinney.
Martha M. Callis.
James F.Guinn.
Minnie P.Vickers.
E.J.Shields.
Wm.C.Reed.
Matilda White.
Nancy E.Tucker.

John H. Strain.
W.M.Galleger.
Wm.H.Talbett.
Hettie E. Weed.
Sarah E. Honey cutt.
Daniel H.Coats.
Christy Coats.
Cuntha J.Miller.
Walter Fine.
James Evans.
Mary B. Cates.
Francis Hudson.
Frank Hudson.
Calidonia Hurst.
Louisa Williams.
John A. Carroll.
Catherine Hyder.
Amanda Cordell.
Carrie M.Shirm.
Mary J.Mathews.
W.F.B.Guinn.
Geo. W. Guinn.
Alfred H. Guinn.
Mandy A. Woodall.
Mary E.Fagg.
Qiunce H.St.Clair.
James M.Frazier.
Sarah J.Binion.
Harriet McGarry.
Martha E.McLarry.
D.T.Wilson.
Sarah E.Carroll.
Sarah E.Yingling.
James H.Tucker.

Sealy M. Gibson.
J.C.Whisenhaut.
Thomas O.Talbett.
Mary E. Perry.
John W. Miller.
Fannie E. Pool.
Mary E. Stephens.
Rebecca Fine.
Delithat Price.
Sarah Ballard.
Louisa P. Davis.
Wm.N.Hudson.
Ellis Pinnon.
Ora E.Hurst.
Francis M.Nichols.
Mary E.Trimble.
J.C.Vantrup.
Josiah Vantrup.
Mary L.Stevens.
Susan M.Roberts
Wm.F.Frazier.
Mary Demos.
Emma J.Harle.
Mary J. Frazier.
Georgia A.Jackson.
T.A.Bailey.
Ann E. Carraway.
Elizah Guinn.
Joanna Parr.
Mary J.Harris.
H.McDonald.
H.J.Ingram.
Campbell Pryor.
Elizabeth Crawford.

G.T.Adamson.
Ada I.Smith.
William Ursery.
Cynthat Crews.
Miles Parkerson.
L.S.Parkerson.
James J.Stiles.
Nancy S. Stiles.
B.F.Still.
Wm.T.Williams.
John A. Williams.
Fannie Nunley.
William James.
J.D.James.
J.M.James.
Andrew J Lewis.
Wm.M.Bryant.
Elizabeth Smtih.
MollieWilson.
Louisa Crumbliss.
William M.Conley.
John Wm.Nessick.
W.M.Moore.
John Ballard.
Susan Wiseman.
Mary Campbell.
George Ballard.
Mary L.J.Daniels.
Lewis F.Contz.
O.O.Tabbott.
Fannie M. Campbell.
Ollie N. Cumphrey.
M.M.Deering.

James L.Scaggs.
Lucinda Williamson.
Margaret A. Williams.
Mary L.Paschal.
Lucy Lowery.
Rachel J.Stiles.
Richard Stiles.
James G.Evans.
Abraham J. Still.
Wm.C.Williams.
Mary E. Carr.
Jeremiah Williams.
R.W.Gillispie.
John M.James.
Levina Lewis.
W.A.Lewis.
Martin Lewis.
Mary Cline.
Joseph E.Sweat.
Wm.H.Peters.
J.C.Wright.
Marthat E.Fither.
Tennessee Langhan.
Samantha Ann Rutherford.
Geo.W.Ballard.
Sarah Ann Pannell.
Nancy J. Wood.
Louisa P.Davis.
L.A.Clearland.
Nancy J. Banberger.
Martha J.Talbott.
Minnie E.Shaving.
M.T.Wildes.

Hugh G. Miller.
Elisha Ussery.
Chas.P.Parkerson.
M.S.Ursery.
Ida Hitt.
Lula L.Beaty.
Rachel L.Heytz.
Katie Bullock.
Nannie McGinnis.
Jasper N.Williams.
Tabithat Sears.
Rufus Hale.
J.W.Jordan.
W.B.Terry.
Edwin Lewis.
John H. Bryant.
Israel Bowen.
John G. Kissinger.
John Sweat.
Wm.C.Wright.
James G.Messick.
William Robbins.
Wm.R.Ballard.
Nanni McKenzie.
A.J.Ballard.
Geo.H.Ballard.
Marhta J.Shimp.
W.T.Cleveland.
W.B.Clearland.
Leona D Campbell.
Lydia Johnson.
L.J.Hood.
Effie T.Strain.

Daniel E.Miller.	Penelope Giles.	Lillie M.Roberts.
Thomas J. Miller.	Marthat J.Caruth.	Malissa Caruth.
John H. Miller.	Thomas D.Giles.	Gabriel S.Miller.
Joshua Miller.	Mary E. Bennett.	Laura A.Yokum.
Jemima Morris.	Dora B.Coppie.	Stephen Furguson.
Laura W.Winberly.	Daniel R. Jackson.	Eva A. Tobert.
Sallie E. Smith.	Charles W.Jackson.	Margaret A.Pharris.
S.H.Adams.	Sarah J.Boggs.	Hattie A. Shirley.
James H.Jackson.	Wm.J.Jackson.	Lidia A.Lawson.
James R.Jackson.	Charles L.Barnes.	Wm.H.Petty.
H.D.Logan.	Annie A. Tipps.	Elizabeth Alexander
John P.Alexander.	Annie H.Lawson.	Catharine B.Kenning
Laura J.Spain.	Maggie C. Lester.	Geo.S.Miller.
Jeff W.Miller.	Tempa E.Miller.	M.M.J.Omeal.
Parthema Reed.	Marthat E. Reed.	Mary A. Woody.
Demisis Shelby.	Nancy Smith.	Julia A.Driggers.
Thomas A.Justice.	Mary F. Diggers.	Marthat A. Starnes.
Mary L.Baker.	Rufus Foster.	R.A.Bussett.
Martha M.McVoy.	Wm.R.Young.	Carolie M.Smith.
V.H.Russell.	Joseph McVoy.	Elizabeth Foster.
Chas.F.McVoy.	Sarah A.Crowder.	Alice Tigers.
Amanda A.Russell.	Frank L.McMenaway.	Permelia E.Payne.
J.J.McMenaway.	Andrew J.Allen.	Mahala Fields.
John McMenaway.	Mary A.Stephens.	Viola Perry.
Jeremiah Mc Menaway.	Wm.B.McMenaway.	Geo.M.McMenaway.
John F.McMenaway.	Perlua E.Cravens.	Rosa Hall.
Mollie Stanley.	Laura J.Gray.	Belle J.Stanley
John D. Mcmenaway.	Permelia J.Price.	Josephine Mcmenaway
Wm.H.MCmenaway.	Catherine E. Hatcher.	Jane Michell.
Daniel D. Callis.	Thomas H.Duke.	S.A.Miller.
R.J.Miller.	T.F.Berryhill.	John Morgan.
B.C.Cole.	Marah H.Wilkes.	J.H.Sweat.
Mary E.Templeton.	Mary Ellen Crum.	Queen A. Moore.
F.C.Evans	Polly S.Scaggs.	L.A.Coldwell.

Minerva Pirtle,
T.T.Temples,
Delilah Strausse,
J.L.Parker,
Noah Whisenhunt,
J.B.& J.T.Roper,
Rhoda Smith,
Wm.J.Haynes,
Lina Robinson,
R.L.Vaughan,
Lucy A.Harper,
Lucy Anderson,
W.I.Samples,
William Brown,
Wm.E.Magers, Etal.,
Thos & William Igo,
S.M.Hurry,
Mrs. P.A.Trigg
Mary E.Welch.

Chas.L.Fairman,
Meadows, Huggins, etal,
Jason Evans,
Anna Bettis,
Augustus L.Rogers,
Sarah Prince,
Lucius P.Montieth,
M.M.Hyde,
J.R.Hildebrand,
Jane McDaniel, Et al,
Sydney Clatterbuck,
Deliah Anna Wayland,
Martha A.Walker,
Malinda Paterson,
Joseph L.Hawkins,
Caroline Wileman,
James L.Robinson,
John A.Martin,

Lettitia Colding,
John Cox,
Ellen Fowler, etal,
Nancy J.Walker,
Jonathan C.Parker,
Belzora Z.Ruce,
Emily Hyde,
B.H.Hyde,
E.E.Dempsey, et al.,
J.R.Russel,
William Hayes,
Julia Turner,
Eli A.Hammer,
Belle Magers,
Wesley Crow, et al.,
William Whiney,
Harriet N.Dodson,
Mary J.Grey,

Rachel Massey.
Mary Yates.
Thomas Stegall.
James W.Redburn.
George Teagan.
Meg Clark.
America Hoyse.
Etna Swearingsen.
Freeman C. Fishback.
Carter Cordell.
Frank Blevins.
Lulu Carter.
W.E.Burke.
Mary Stephens.
Sallie F.Jobe.
Joseph A.Newby et.al.
Mary Fondley. et.al.
John Sneed.
Christopher C.Hayes.
James Hawkins.
Minnie Dobbins.
Jess Millwood.
W.A.Fordice.
Victoria Arber.
Vieleta Russell.
Angelina Wymore.
Thomas Ware Jr.
S.M.Akirs.
A.J.Ware.
Ann Willaims.
Ruth A.Shelton.
Annie C.Russell.
Ida Loveall.
Luny J. Rea.

W.L.Moody.
William Blagg.
Mary C.Gaut.
Emeline Wyatt.
Olive H. Plato.
Joseph W.Davis.
Martha A. Slusser.
Cyntha Ann Sisk.
Mary Ann Smith.
Robert C.B.Teague.
Maud Curtz.
Mary Fanin.
Jeff Graham.
Laura B.Robinson.
David Murphy.
H.C.Cowan.
Willie L.Hunter. at al.
Elizabeth Raper.
William T.Hill.
Katie Harmage.
S.H.Shuler.
Dabid Fleece.
S.W.Waters.et.al.
Edward O.Burnside.
Nancy Vansicle.
John W.Wallis.
Eda L.Watson.
B.W.Waire.
E.P.Waire.
Ida Waire.
F.E.Waide.
Wm.J.Price.
James A.Rea.
Mary C. Evans.

Pinion, et.al.
Louisa Hedley.
C.L.Harkins.
Charles A.Biggs.
Cafiel D.Richardson
Dora Latta.
Helen L.Wilburn.
J.S.Wilburn.
Molli Lunn.
James W.Burk.
William Robertson.
Fannie Magers.
Mary C.Wright.
William V.Davis.
Bettie Gillam.et.al.
Bertie Cox.
Robert L.Hadley et.
W.E.House.
Harriet Latta.
William Brown.
Elgerry Fleetwood.etal
Ella Burgeon.
W.K.Fielder.
John W. Watson.
Walter C.Wallis.
Mattie Soper.
John T.Ware.
L.R.Pate.
W.R.Erwin.
L.E.Waire.
James Lowe.
Mary E.Nichols.
Mary E. Cropper.
Mary E.McClure.

Sallie A.Webb.
Charley York.
Hugh Vann.
Nicholas S.Baugh.
Nancy Perkins.
Samuel C. Ledbetter.
W.L.Whisenhunt.
Chas. B. Allen.
Sallie A. Perry.
Daisy Riker.
Willis Mills.
Sarha Ellis.
Susan Emma Mayo.
Ira M. Mooreland.
Julia A.Pucket.
W.W.Downing.
Palestine Tyler.
L.E.Weddington.
J.J.Dancer.
Corena Tetzworth.
Sophia E.Witt.
John W. Hinkle.
Willis Parker.
Sallie Sinaird.
H.C.Waters.
Jesse Brown,et.al.
W.R.Reeder.
Hellen McGuire.
Melissa C.Moore.
A.C.Scott.
Cary W.Allen.
Mac. McNab.
John Ross Trott.
Sallie E.Fisher.

N.E.York.
Amanda House.
Eliza Bassmore.
J.S.Beal. et.al.
Aaron Harland.
F.M.Carter et.al.
John W.Forbes.
Nancy Davis
Delia Allison.
Annie Etherton.
Elizabeth Brown.
A.G.Martin
Dan B.Granger.
Wier and Whorton.
Thomas A. Ward.
Martha Vassour.
Jane Foster.
A.J.Hartgroves.
Sarah Vinsor.
Margaret A. Smithton.
Eliza E. Clingan.
Elizabeth Burgess.
Wm.B.Parker.
William J. Hudson.
H.C.Waters.
Serenna Alred.
Rosa M.Bard.
Clarentine L.Lattimore.
Eliza Minson.
J.R.Murphy.
Josephine Brudle.
S.L.Moody.
Isaac C.Dawes.
Christin Aters. et.al.

Mike Watson.
R.K.Forrest.
J.E.Striker.
Lucy Wimer.
Thomas J.Lasley.
Neta J.Bearden.
Nathan A. Davis.
Sallie Poindexter.
Marthat A. Clark.
Rebecca Cook.
Jonathan Graham.
Catharine Moore.
Luisa M.Arwood.
G.W.Dunn.
Sarah Underwood.
J.W.Spain.
M.A.Grammer.
Molinda Hartson.
Sarah Lee.
Mary E.Scarbrough.
Amiza Ambrose.
Asa Ward.
B.S.Tinsley.
Hulda Wise.
William Jones.
Elizabeth Harrelson
Godeon L.Brown.
Adan Hannan.
W.T.Ellis.
Fannie Highsmith.
Joseph Atlas.
John B.Williams.
Willian J.Fisher.
Francis Smith.

POOR ORIGINAL -
BEST AVAILABLE COPY

Elisha Sherrell.	S.M.Leford.	S.M.Leofrd.
John J. Euler.	Wm.B.Sherrell.	J.T.Lown.
Charlotte Alberty.	Matilda Mosely.	Voctoria Pulliam.
John Berford.	John Brinyark.	Chas. J. Ward.
Julia A. McLear.	Florence A. Baxter.	S.F.Jones.
D.Cramer.	Sarah Knowles.	Goe.C.Sherrell.
Elizabeth Eyle.	Lama J.Thomas.	Nancy Jenkins.
E.J.Beckham.	Valley Harris.	Harvey Powell.
Taylor G.Bayles.	W.M.Patton.	Mary West.
Samuel Murphy.	Emma F.Bradley.	Lucy Clinton.
James L. Carr.	Jasper Sherrell.	Alice Juvell.
Louisa E. Wood.	Norton Carson.	Julia A. Ray.
Malissa Berford.	George Catlett.	Mrs. Sanders.
Andrew G.Berlin.	Newton J. Reed.	Calvin Snow.
Sarah J. Clinton.	Marum A.Tilley.	James Talley.
Cora Williams.	Rachel Bradshaw.	Barbora Webb.
Nancy Talley.	John Tilley.	Mary Ann Miller.
James E.Miller.	Mary Melvina Miller.	Margaret E.Hill.
John H. Edwards.	Lewis Hays.	Cathrene L.Stephens
Robert E.Parks.	Micajah Stephens.	Mollie D.Shillips.
G.S.White.	M.H.Watts.	Matilda F. Berford.
Geo. W.Graham.	R.J.Boykin.	S.Burnside.
William Hagan.	Georgia A.Wartman.	Roda Murrett.
William L. Landsley.	A.W.Talkinfton.	Ellen Bingham.
Samuel L.Hyatt.	Mary Ellen Moss.	Witt Adair.
Jane Collins.	R.A.L.Hyatt.	John M.Fields.
Nancy C. Pesly.	Malissa Presly.	Susan M.Davis.
Flora E.Pender.	Thomas A. Swalley.	Elizabeth Fenley.
David R. Swalley.	Lucilla Harris.	Martha Z.Robertson
Elizabeth Jane Lovelace.	Bateman Hix.	Joseph Birchfield.
Clarence E.Douglas.	Willaim S.Andwork.	Bernice L.Culberson
Berthine Brockshire.	Issac Barnett.	John Sandwook.
E.F.Darville.	M.D.Lederis.	M.T.Smith.
J.F.Leatherwood.	Hellison Work.	Annie Comer.

Alice Parsley.	Theodisa Garner.	Ada Shibley.
Belle Shibley.	Iva Adams.	Martha J.Parsley.

End

Miscellaneous papers relative to cases before the Commission in 1896. They appear to have been filed too late to be considered with the cases to which they refer

NO.2366.

Hannah Flippin et al
vs
Cherokee Nation.

MOTION.

Filed

BEFORE THE HONORABLE COMMISSION
TO THE FIVE CIVILIZED TRIBES.

Hannah Flippin,et al.

No.2366. - vs -

Cherokee Nation.

Now come the above applicants,Hannah Flippin et al., and respectfully request that all of the original papers on file before the said Honorable Commission, transmitted to it by the Department of the Interior,relating to these cases,of which the applicants have made copies and attached to their respective applications and all of the said reports referred to by said applicants in their applications and especially the report of C.C.Duncan,Esq.,Inspector of the Department of the Interior made to the Department in this case in August ,1893,be filed by this Honorable Commission with these cases as a part of the record therein under the late instructions of the Department of the Interior.

Atkeber & May

C.C. Duncan.

Attorneys for applicants

NO.2388.

Samuel M.Dellahite et al
vs
Cherokee Nation.

Ferd

BEFORE THE HONORABLE COMMISSION
TO THE FIVE CIVILIZED TRIBES.

Samuel H.Dollahite et.al.

No.2388. - vs -

Cherokee Nation.

Now come the above applicants,Samuel H.Dollahite et al., and respectfully request that all of the original papers on file before the said Honorable Commission,transmitted to it by the Department of the Interior,relating to these cases,of which the applicants have made copies and attached to their respective applications and all of the said reports referred to by said applicants in their application and especially the report of C.C.Duncan,Esq.,Inspector of the Department of t e Interior made to the Department in this case in August,1893 ,be filed by this Honorable Commission with these cases as a part of the record therein under the late instructions of the Department of the Interior.

C.B.Duncan

N.B.Maxey

Attorneys for applicants

NO. [illegible]

J.D.Kelly et al.
vs
Cherokee Nation.

BEFORE THE HONORABLE COMMISSION
TO THE FIVE CIVILIZED TRIBES.

J.D.Kelly,et al.

No.2393. - vs -

Cherokee Nation.

Now come the above applicants,J.D.Kelly,et al.,and respectfully request that all of the original papers on file before the said Honorable Commission,transmitted to it by the Department of the Interior,relating to this case,of which the applicants have made copies and attached to their application and all of the said reports referred to by said applicants in their application,be filed by this Honorable Commission with this case as a part of the record therein under the late instructions of the Department of the Interior.

C.T. Moore

G.B.Denison

Attorneys for applicants

of the Honorable the Judges of the Supreme Court of the State of Nevada:

Your petitioner, a citizen of the United States and a resident of the county of Lander, State of Nevada, respectfully represents that he has been duly and regularly admitted to practice as an attorney and counselor at law in all the courts of this State, and has been engaged in the practice of his profession for a period of more than five years last past, and is now engaged in the practice of his profession in the county of Lander, State of Nevada.

That on the 3rd day of November, A. D. 1896, there was held in the county of Lander, State of Nevada, a general election, at which election there was voted for the office of Justice of the Supreme Court of the State of Nevada, for the term of six years, commencing on the first Monday after the first day of January, A. D. 1897, the following votes:

Mary A. Dickerson	1,147
Sarah E. Dickerson	1,147
James A. Bruce	1,147
John D. Campbell	1,147
George W. Bowers	1,147
Ishmael Bush	1,147
Charles B. Curtis	1,147
Thomas P. Beatty	1,147
Edward Talbot	1,147
Thomas E. Haydon	1,147
Charles H. Belknap	1,147
Thomas P. Hawkins

TO THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

NO.950.

MARY A.DIAL,ET.ALS.

VS

CHEROKEE NATION.

AND

NO.2383

GEORGE WESLEY DAVIS,ET.ALS.

VS

CHEROKEE NATION.

Now come the said Mary A.Dial,et.als.,Sarah E.Davis, et.als.,Nancy B.Pierce,et.als.,John B.Cullen,et.als.,by H.H.Hubbard & Son,their attorneys,and George Wesley Davis et.als.,Ishmael Davis,et.als.,and Lucinda Katherine Smith, et.als.,by G.B.Denison their attorney,and respectfully move this Honorable Commission that all of these cases above named be concolidated and treated and considered as one case and as reason therefor,say:

That all of these claimants derive their Cherokee Indian bleed from a common source and that proofs filed in the separate cases are to a large extent applicable in each and every case and that it has not been possible to secure all of the evidence pertinent to each one of the cases,to file in each separate case.

Wherefore said claimants ask that all of the said cases may be consolidated and that the applications and evidence in each case may be considered in each and all of the other cases so far as applicable and pertinent and competent,in making up the final determination of the rights of the claimants.

H.H.Hubbard & Son

G.B.Denison

Attorneys for claimants.

C. B. DENISON.

W. Q. HENDERSON.

Attorneys at Law and Solicitors in Chancery.

Vinita, Ind. Ter., Oct.2,1896.

TO THE HONORABLE COMMISSION
TO THE FIVE CIVILIZED TRIBES:

NO.950.
Mary A.Dial,et.als.
vs
Cherokee Nation.

Permit me to call your attention to the above numbered case and in connection therewith No.2383, George Wesley Davis et.als.,2384, Ishmael Davis,et.als.,and 2385, Lucinda Katherine Smith,et.als.,and ask that all of these cases be considered together and in connection,as the claimants are descendants from a common ancestor and much of the evidence filed in the separate cases has an important bearing upon all the cases and it would seem but just and right that each of the applicants should have the benefit of all the testimony filed in any one of the cases,and without knowing what rule of practice may obtain in the matter,I herewith enclose a formal motion for the consolication of all of these cases under the title of the above case,that being as I understand,the first one filed.

I am very respectfully,

C B Denison

No.

vs

Wm. H. M. Whitely et als

vs

The Cherokee Nation.

C

The following cases should be
considered together; Applicants being
members of the same family.

Wm Z. M. Whately.

Hiram C. Whately

Elizabeth Jane Hunter nee Whately

Respectfully
Ragsdale & Watkins
for Claimants

No.

Charles M. Burton
et als
vs
The Cherokee Nation
et

The following cases should be considered together; the applicants all being brothers & sisters

Leading case Charles M. Burton
John B. Burton
Mary Frances Lyons nee "
Sarah E. Dumicent- " "
Anderson Burton
Rebecca Langhman " "

Original testimony filed in case of Charles M. Burton.

Respectfully
Kingler & Mulkins
for Petitioners

For sale by Geo. D. Barnard & Co., Pub., St. Louis

Nos.

Not Cases

John N. Walker
et al.
vs
The Cherokee Nation.
Et

These papers
are regarded
of attorneys to
prove Certain
Cases Considered
ed by Legislature

The following cases should be considered together; applicants all claiming Indian blood from same source and orginal proofs filed in leading case first-mentioned

John H. Walker.
Rebecca Ann Webb
Davis Walker
Thomas L. Wallace
Eliza Rogers
Matthew V. Wallace.
William H. Wallace
John D. Sugg
Eliza Sisco
S. P. Sugg et al
Halford R. Lowther
Orlando de Quincy Lowther.

Respectfully
Trimble & Matthews
for Petitioners.

No Brought case

J. J. Calloway Etal

v

Cherokee Nation

"

Brought Cited

Wells

This case is now
and up on supplemental
Writs

NOTICE.

United States of America,
INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

In the United States Court for said District.

In the matter of the application of J. J. Calaway Fanney to be enrolled as citizens of the Cherokee Nation.

TO THE Hon. Dawes Commission:

You are hereby notified that an appeal has been taken in the matter of the application of

J. J. Calaway Fanney

to be enrolled as citizens of the Cherokee Nation, from said Commission

to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23 day of May A.D. 1897.

J. A. Burton Clerk.

BEFORE THE HONORABLE COMMISSION OF THE FIVE CIVILIZED

TRIBES.

Isaac Jackson ------et al.

vs.

Cherokee ------nation. No.------

APPLICATION FOR APPEAL.

Now come the said Isaac Jackson ------et al applicants for citizenship in this case by W B Watts one of their attorneys and pray an appeal from the decision of the said Honorable Commission to the United states District court as provided by the Act of Congress approved June the 10th, 1906.

And the said W B Watts

being duly sworn and acting on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay, but that justice may be done the applicants.

W B Watts

Sworn to and subscribed to before me this 20th day of December

----------1906.

J. B. Lindsey
Notary Public.

My commission expires March 29th 1907

Nos.

F. M. Williamson et
als.
vs
Cherokee Nation.

The following cases should be considered together depending largely upon the same testimony. Applicants being of same family.

Leading case F. M. Williamson.

R. F. M. Williamson

S. A. Mc Glennon

Mary S. Sayler.

Respectfully

John McStain

for claimants.

For sale by Geo. D. Barnard & Co., Pts., St. Louis

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Sarah Nicholson ----------et al.

vs.

Cherokee ----------Nation. NO----------

AFFIDAVIT FOR APPEAL.

Now come the said Sarah Nicholson ----------et al applicants for citizenship in this case bty W B Watts one of their attorney, and pray an appeal from the decision of the said Honorable Commission to the United States District Court as provided by the Act of Congress approved June the 10th, 1896.

And the said W B Watts ----------

being duly sworn and acting on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay, but that justice may be done the appellants.

W B Watts ----------

Sworn and subscribed to before me this 30th ---day of December ----------1896.

J. S. B. Linney
Notary Public.

My Commission expires March 29th ----------1897

BEFOR T HIT HONOR ABLE COMMISSION TO THE FIVE CIVILIZED

TRIBES.

A. W Rutherford et al.

vs.

Cherokee Nation. NO

AFFIDAVIT FOR APPEAL.

Now come the said A W Rutherford et al applicants for citizenship in this case by W B. Watts one of their attorney, and pray an appeal from the decision of the said Honorable Commission to the United States District Court as provided by the act of Congress approved June the 10th, 1898.

And the said W B Watts being duly sworn stating on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay, but that justice may be done the appellants.

W B. Watts

Sworn and subscribed to before me this 7th day of January 1907

H B. Lindsey
Notary Public.

My commission expires March 29th 1907

BEFORE THE HONORABLE COMMISSION

TO THE FIVE CIVILIZED TRIBES.

No.78.C.C.Daugherty,et.al.
No.79.William Daugherty,et.al.
No.80.Boone Daugherty,et.al.
No.81.Matt Daugherty ,et.al.
No.82 J.M.Daugherty,et al.
No.83.Mary Eddleman,et.al.

- vs -

Cherokee Nation.

MOTION FOR RECONSIDERATION.

Now come the said above named applicants by [redacted] their attorney and respectfully move this Honorable Commission to set aside the decision heretofore rendered in these cases and grant a reconsideration thereof and as reasons therefore say:

First. That in preparing the application of the above named applicants for enrollment as citizens of the Cherokee Nation,copies only of the testimony bearing upon their claim were filed with their applications,the original testimony being filed at the time of and with the application in No._____ of Thomas W.Daugherty et.al.,which application has not yet been finally passed upon by this Honorable Commission,all of the said testimony being to a large extent applicable in each and all of the cases.

Second. The existing rules promulgated by Hon.Hr.M. Springer,Judge of the United States Court for the Northern District of the Indian Territory,are of such a nature as to make the expense of appealling to the United States Court in citizenship cases very great and exceedingly unreasonable and these applicants therefore respectfully ask that this Honorable Commission grant this their motion to set aside the decision heretofore rendered herein and order that all

of the above entitled six applications in as much as they all rest upon substantially upon the same proof, be consolidated into one case in order that there may be no necessity for an appeal in six separate cases where all the questions arising in the cases and every principal involved can be as well settled by ther e being consolidated into one case and at the expense incurred in only one appealled case.

Wherefore the said applicants ask that the said decision of this Honorable Commission in these cases may be set aside and that this motion to consolidate said cases may be granted and that upon and after said consolidation their application for citizenship and enrollment may be passed upon as in one case.

J B Dennison

Attorney for applicants.

TRIBE.

Emma Rackley ------ et al.

vs.

Cherokee ------ tion. No. ------

AFFIDAVIT FOR APPEAL.

Now come the said Emma Rackley ---- et al applicants for enrollment in this case by W. B. Watts one of their attorneys, and pray an appeal from the decision of the said Commission to the United States District Court as provided by the act of Congress approved June the 10th, 1906.

And the said W. B. Watts being duly sworn upon oath on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay, but that justice may be done the applicants.

W. B. Watts

Sworn and subscribed to before me this 7th day of January 1907

H. B. Lindsey
Notary Public.

My commission expires March 24th 1907

[redacted]

J. O'Neill, et ux
Robert Pellet et al
Martha A. Ayne, et al.
vs
Chesapeake Nation.

BEFORE THE HONORABLE COMMISSION TO THE FIV E CIVILIZED TRIBES

No.8[illegible]. J.O.Cobb,et.al.
No.8[illegible]. Robert Bell et.al.
No.8[illegible]. Martha A.Payne,et.al.
- vs -
Cherokee Nation.

Now come the above applicants,J.O.Cobb,et al,Robert Bell et al.,and Martha A. Payne et al.,and respectfully request that all of the original papers on file before the said Honorable Commission,transmitted to it by the Department of the Interior,relating to these cases,of which the applicants have made copies and attached to their respective applications and all of the said reports referred to by said applicants in their applications and especially the report of C.C.Duncan,Esq.,Inspector of the Department of the Interior made to the Department in these cases in August, 1893,be filed by this Honorable Commission with these cases as a part of the record therein under the late instructions of the Department of the Interior.

G B Duncan

Attorneys for applicants

[illegible]

Henry Hilterbrand et al

vs.

Cherokee [illegible] No. [illegible]

[illegible]

Now come the said Henry Hilterbrand et al appellants the plaintiffs in this cause by W B Watts one of their attorneys, and pray an appeal from the decision of the said District Court in the above entitled cause to the Court of Civil Appeals as provided by the Act of [illegible] and the said W B Watts

is the duly [illegible] of said appellants says that the appeal prayed for in this cause is not taken for the purpose of delay but that justice may be done the appellants.

W B Watts

Sworn and subscribed to before me this 31st day of December 1906.

J C B. Lindsey

Notary Public.

My commission expires March 24th 1907

POOR ORIGINAL -
BEST AVAILABLE COPY

BEFORE THE COMMISSION.

Payne, et. al.

vs. APPLICATION FOR CITIZENSHIP.

Cherokee Nation.

In these cases the applicants made their application for citizenship in compliance with the laws of the Cherokee Nation and were regularly admitted by a tribunal which, under and by virtue of the Cherokee laws had jurisdiction to try the issue and render judgment and which judgment was by the very terms of the statute to be final and conclusive. (Acts of Cherokee Council, 1870, p. 78)

This tribunal was a special commission consisting of the judges of the Supreme Court of the Cherokee Nation, which commission had fully performed its duties under the law and had rendered its judgment and had adjourned sine die long before any claim was made that its judgment was obtained by the perjury of the witnesses on the part of the applicants.

After the adjournment of this tribunal the Cherokee Nation undertook, by special legislation, to cause the final judgment in favor of the applicants to be reviewed and set aside by the judgment of other special tribunals which were not in existence, at the time of the original rendition of the judgment.

This cannot be done, because it is the law that a judgment of a special tribunal is conclusive within the scope of its authority.

Opinion of Attorney General Garland, XIX Vol. of Opinions of Attorneys General, 230.

In the above opinion the Attorney General had before him this very case. After the judgment admitting the applicant Cobb to the rights of citizenship, had been declared void by the Adair Commission, the Cherokee Nation appealed tothe Interior Department of the General Government to remove Cobb as an intruder, the

which is now
evidence before the commission was submitted to the Interior Deprat-
ment and by that Department was referred to the Attorney General
of the United States for his opinion.

In the opinion Attorney General Garland says:

"In answer to the firstquestion propounded, I beg leave to say, that a North Carolina Cherokee removed into the Cherokee Nation as stated in such question, and who made proof as therein named, was thereby fully invested with the rights, privileges, and immunities of Cherokee citizenship. This was a specie of naturalization resorted to by the legislature of the Cherokee Nation in 1870, and would stand to that extent precisely as a judgment of a Court under an act of Congress conferring citizenship in the United States upon a foreigner or an alien, and closes all inquiry, and, like every other judgment, is complete evidence of its own validity. (Spratt v. Spratt, 4 Peters, 406) Or, to state it a little more broadly, a judgment in this proceeding by the chief justice of the Supreme Court of the Cherokee Nation was in the exercise of a special jurisdiction conferred upon him and comes within the familiar rule that when a special tribunal is authorized to hear and determine certain matters its decisions within the scope of its authority are conclusive.

"I find from the papers submitted no authority to supervise this act of the cheif justice, and I certainly think there is none. The right of citizenship is determined in this proceedings and becomes an adjudicated matter, and to leave it an open question for review by the legislature or the council or other authority would be to unsettle every right of citizenship based upon that act. In this, as in all other things, there must be a termination--an ending--somewhere, and the proper construction of this act is that the judgment of the chief justice, rendered according to the terms of such act, is the final determination, and leaves nothing for review. These principles of law would apply, of possible, with more force here than in ordinary cases, because it appears from the papers submitted that the Cherokee Council invited the North Carolina Cherokees to come to the Cherokee Nation and to become identified therein as citizens, and this plan of making them citizens was adopted to carry but the purpose of that invitation."

See, also, Spratt vs. Spratt, 4 Peters, 406.

2nd Freeman on Judgments, 4 Ed. Sec. 489.

Mr. Freeman says:

"The procuring of a judgment by perjury, or subornation of perjury, is doubtless a fraud, and such a fraud as would induce equity to grant relief, were it not for the fact that its existence can rarely or never be ascertained otherwise than by trying anew an issue already tried in the former action. Whenever an issue exists in any action or proceedings, each of the parties should anticipate that his adversary will offer evidence to support his side of it, and should be prepared to meet such evidence with counter-proofs. Where he has an opportunity to do this, and does not avail himself of it, or though availing himself of it, is unable to overcome the effect upon the Court or jury of the evidence offered by his adversary

he cannot, in effect, obtain a retrial of the issue before another tribunal by charging that the judgment against him was procured by perjury; and this has been held to continue to be the rule, notwithstanding the existence of a statute authorizing actions to set aside judgments obtained by means of perjury or subornation of perjury."

1 Freeman on Judgments, 289.

Ross vs. Woods, 70 N. Y., 8.

Catzhausen vs. Keating, 29 Fed. Rep. 821.

Smith and Mead vs. Lowery, 1 John. Ch. R. 315.

Green vs. Green, 2 Gray, 361.

61 Amer. Dec. 454.

Smith vs. Lewis, 3 John. N. Y. 157.

Folsom vs. Folsom, 55, N. H. 78.

It is not disputed but that the applicants had obtained their right to citizenship by a solemn adjudication of a Cherokee tribunal clothed with full power and jurisdiction to hear and determine their right to citizenship, and which decision the highest authority of the Cherokee nation, the very power which created the tribunal declared should be final and conclusive, and the above authorities settle the question beyond controversy that such a judgment is just what the Cherokee statute declared it should be, final and conclusive and any and every attempt of the legislature, or any other tribunal to set it aside would be void.

Even a Court of Chancery that has full power to declare void and set aside judgments obtained by fraud, cannot interfere with a judgment on theground that it was procured by perjury or subornation of perjury.

The reason is, because the credibility of the witnesses on either side is a question to be passed on by the trial Court or tribunal in every case, and therefore that question is res adjudicata and cannot again be passed upon in a case where the judgment is final and conclusive.

The above cited cases fully establish the foregoing conclusion and, as we confidently believe, settles this case favorably to applicants/

Respectfully submitted,

Dennison & Henderson and

Clayton & Brizzolara

Attys for Applicants

End

J. N. Adair v Wit Adair

Supplementary evidence in the Adler
cases, which Commission refused
to allow filed.

Deposit
—
Affidavit of
Witness for
Case of
Ex Parte

1760

REGISTRY RECEIPT.

Post Office at Vinita IT

Registered Letter / Parcel No. 505 Rec'd Sept 8, 1876

of Wit Adair

addressed to J. H. Mayes
Tahlequah IT
Da Transport U.S.A.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, [redacted], do solemnly swear that on the 8th day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt No. 5556, hereto attached, is a receipt for said package, which contained true copies of the application of

of the affidavit of William A. Lewis

support of same. That affiant has no interest in this matter.

J. B. Gunter

Subscribed and sworn to before me this, the 8th day of September, 1896.

N. L. Hayfield



POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT GLUED

In the matter of the claim of J.N. and Wit Adair ofr Cherokee Indian Citizenship, before the Honorable Dawes Commission at Vinita, Cherokee Nation, Indian Territory.

:-:-:-

ghter and his youngest son, leaving his wife and his oldest son Fox Taylor as aforesid in America.

Affiant further states that the said daughter of Fox Taylor Sr. at the time of her removal to England with Her father aforesaid was about 10 years of age, that she was [illegible] in the city of London, and was married [illegible] ___ Odair (and your affiant petitioner believes that said Odair's given name wasLotus):- That the said Odair and his said wife (grandparents of the said J.N.Adairthe claimant named in the within action) returned to the United States before the recollection of your affiant.

Affaint further states that at the time of his earliest recollection, sons and daughters of the said Odair and whis said wife were living,(having settled) at Adairville in what is now the state of Georgia, and that the said sons and daughters began the changing of the first letter of the name, making it Adair in the place of Odair as formerly called, prior to that time. That one of the said sons of the said Odair was named William Adair (who was the grandfather of J.N. Adair and graat grandfather of Wit Adair petitioners named in the caption), that affiant was well acquainted with the said William Adair as aforesaid in the state of Georgia, and have often benn with and associated with the said William Adair, in Ball Play with other Indians and in others sports, in my youth.

Affiant further states that he knew of the existance of one James Adair, a son of William Adair (who he beleives to be the father of J.N. Wit Adair, and Wit Adair's grandfather). That the said James Adair as aforesaid lived in Franklin County, Tennessee, near what was known as the Old Creek Pass in Wills Valley.

Affiant further states that immediatily after the Civil War he was appointed attorney by the Government of the United States to pass upon all Pension cases amongst the Cherokee Indians;- That he then was attorney for Claimants in the Cherokee Citizenship Courts for many years:- That he has spent several years in Washington City as translator& interpreter,and has thoroughly familiarized himself

POOR ORIGINAL -
BEST AVAILABLE COPY

with all the matters and things that pertain to names of the Cherokee families of the past.

Wm. A. Lewis

Sudscribed and sworn to before me this the eight day of September A.D. 1896, and I certify that I have carefully read and explained the contents of the foregoing affidavit to be made herein by, examined the same, and examined hims as to his knowledge of the facts and matters states herein and am satisfied that he fully understands the same,

WITNESS, my hand an official seal on the the day and date last above mentioned.

-:(SEAL):-

(signed) Harvey E. Dew-Carter,

Notary Public, My Commission Expires May [illegible] 1900.

Notary Public, My Commission Expires May 11th, 1900.

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Originals

Supplementary Evidence

Affidavit of

Wm A. Lewis

for

J. N. Adam

397

POOR ORIGINAL -
BEST AVAILABLE COPY

REGISTRY RECEIPT.

Post Office at Vicksburg Miss

Registered (Letter Parcel) No. 1515 Rec'd Sept 8, 1864

of J. M. Adair

Jackson Tenn.

addressed to J. H. Mayes

Fallingsville Ky

Via Bayou La. P. O.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, }
Cherokee Nation. } ss.

I, [redacted], do solemnly swear that on the 8th day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 1-37, hereto attached, is a receipt for said package, which contained true copies of the application of .....

and of the affidavits of William A. Lewis

support of same. That affiant has no interest in this matter.

J. B. H. Green

Subscribed and sworn to before me this, the 8th day of September, 1896.

N. J. Mayfield

POOR ORIGINAL -
BEST AVAILABLE COPY
DOCUMENT CUT

In the Matter of the Claim of [redacted] for Enrollment as a Descendant of [redacted] Freedmen.

United States of America,
Northern District, Indian Territory,
In the Matter,

Affidavit of William A. Lewis.

On this the 6 2 day of [redacted] 1906, personally appeared before me the undersigned a [redacted], duly authorized to administer oaths for and in the Northern District of the Indian Territory, William A. Lewis to me well and personally known and who I certify to be credible and reliable, who being by me first duly sworn according to law on oath states that he is a Cherokee Indian by blood, born in the State of Texas in the year A.D. 1847 on the 6 th day of March, and is 59 years of age.

Affiant states that he has heard his mother speak of the ancestry of the present Adair family, of which the claimant named in the within entitled action is a descendant, and that affiants said mother Sarah A. Lewis (nee Taylor), has traced the ancestry to one Lord Henry Baliol of England, who had one son who was commissioned as a lieutenant in the British Army stationed in the American Colonies prior to the War of the Revolution or about the year 1760, and that the said lieutenant(Sir Taylor) son of Lord Henry Taylor of England, was married to [redacted] and that as near as affiant remembers and recalls, That prior to the breaking of the War of the Revolution about 15 years the said Sir Taylor (affiants great grandfather on affiants maternal side) and [redacted] great grandfather on the said J.J.Adair herein named on [redacted] side), married a Cherokee Indian woman whose maiden name was Nancy Ward about the year 1755, that as issue of the said marriage there were born three (3) children whose names are as follows, viz:- Sir Taylor Jr.,- _____ Taylor (a girl), and _____ (a son) Taylor. That Sir Taylor Sr. was a member of the Army of the Revolution and said Sir Taylor Sr. deserted and resigned his position in the British Government, and is reputed have died in England, his home

ghter and his youngest son, leaving his wife [illegible] his eldest son Jno Taylor as aforesaid in America.

Affiant further states that the said daughter of Jno Taylor Sr. at the time of her removal to England with her father aforesaid was about 10 years of age, that she was educated in the city of London, and was married there about the year A.D. 1770 to one ____ Odair (and your affiant believes that said Odair's given name was Lotus):- That the said Odair and his said wife (grandparents of the said J.N.Adair the claimant named in the within action) returned to the United States before the recollection of your affiant.

Affaint further states that at the time of his earliest recollection, sons and daughters of the said Odair and their said wife were living,(having settled) at Adairville in what is now the county of Georgia, and that the said sons and daughters began the changing of the first letter of the name, making it Adair in the place of Odair as formerly called, prior to that time. That one of the said sons of the said Odair was named William Adair (who was the grandfather of J.N. Adair and great grandfather of Wit Adair petitioners named in the caption), that affiant was well acquainted with the said William Adair as aforesaid in the state of Georgia, and have often been with and associated with the said William Adair, in Ball Play with other Indians and in others sports, in my youth.

Affiant further states that he knew of the existence of one James Adair, (who he beleives to be the son of William Adair, and J.N. Adair's grandfather). That the said James Adair as aforesaid lived in Franklin County, Tennessee, near what was known as the Old Ironb Pass in Wills Valley.

Affiant further states that immediatly after the Civil war he was appointed attorney by the Government of the United States to pass upon all Pension cases amongst the Cherokee Indians,- That he then was attorney for Claimants in the Cherokee Citizenship Courts for many years:- That he has spent several years in Washington City as translator& interpreter,and has thoroughly familiarized himself

with all the matters and things that pertain to names of the Cherokee families of the past.

Wm. Lewis

Sudscribed and sworn to before me this the eight day of September A.D. 1896, and I certify that I have carefully read and explained the contents of the foregoing affidavit to be affiant before he executed the same , and examined him as to his knowledge of the facts and matters states herein and an satisfied that he fully understands the same,

WITNESS, my hand an official seal on the the day and date last above mentioned.

-:(SEAL):-

(signed) Harry E. Dorr-Carter

Notary Public, My Commission Expires May 11th, 1900.

End

Willie Askins et al

Before the Honorable, the Dawes Committee

Willie Askins et-al
vs
The Cherokee Nation
} No. 907
Resig

The evidence shows, in this case, that the respective mothers of Willie Askins and Edna Cox were sisters, and the daughters of Lewis A Mulkey, and that Mulkeys mother was a sister of ex-Chief Ross.

The evidence further shows that the parents and grand parents and their respective families were on the Cherokee rolls and regarded by the Cherokee ~~Indian~~ Nation as Indians, but that they were dropped from the rolls having removed for a time to Texas; that on their return to the Cherokee Nation they made application for re-admission, and all were re-admitted save the principal applicants; and Lewis Mulkey in his affidavit states, I believe, that these applicants were omitted to give place for strangers &c.

The application is respectfully submitted

W M Edmiston
Atty. for Plffs.

No 907

Willie Astrins et al

vs

Cherokee Nation

Brief

FILED SEPT. 30, 1898

A. S. McKENNON

COM'R

M. M. [illegible]

-LAWYER, Vinita.

End

Felix Brown et al

No. 1851

Felix Brown et al

vs

Cherokee Nation

Brief

FILED Oct 1 1896

W. A. S. McKENNY

M. M. Edmiston

LAWYER, Vinita,

Before the Honorable the Choctaw Commission.

Felix Brown et al
vs
Cherokee Nation

} Ala. 1854
Bunch

The evidence shows that John Brown Sr was the father of John Brown Jr. who was father of principal petitioner. It is also shown that John Brown Sr. appears as a Cherokee Citizen, that he lived in Hamilton Co. Tenn. in Goodsons Valley and that he, John Brown Sr. had 4 Sons and 2 daughters and one of the Sons was John father of principal petitioner, John Brown Sr. (Sr.) name appears on the rolls of Cherokees and-rians of 1835.

The applications are respectfully submitted

Wm M Entrekin
Atty for Plffs.

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BEST AVAILABLE COPY

End

Sarah E. Bray

Augusta Dist
Cherokee Nation
August 13th 1851

This is

To certify that I A B Bray a citizen
of the United Stats lawfully Married & Shands
Coal ridge in the old Cherokee Nation in
the State of Georgia & I Emigrated to this
Country the Cherokee Nation in or near the
Selected dist the first day of May 1848
On removal or claim Doer rights as a
Cherokee formerly under the Cherokee law
that Existed at that time My wife Sarah &
Bray fully Established her Cherokee Blood
by the Sworn affidavits of two Respectable
Men & Two Witnesses which were both
Cherokee Indians by Blood Birth & Decay
old Both of them well acquainted with the
Cherokees In Georgia some time after the
two first affidavits were Made & filed in
Support the affidavits of the two Men
Also were both well acquainted
with the Relations of My wife & the Blood that
was Laid to Exist their Evidence confirming
fully with the two first.

The Blood of
My wife being Established fully to the
Satisfaction of the Neighborhood in
which we were Residing at that time
as that of a Cherokee. I was told
the law Required me to procure a

Citizens signed by Some good citizens
of the Choctaw Nation Petition Stating
on the face that J.B.Bass a white man
& citizen of the united States has to marry
Some Choctaw woman the
Clerk was Ordered the fee of five
dollars paid & the Marriage ceremony
performed by some ordained Minister
of the gospel by the license Returned
with the Minister Certificate on the
Back Certifying that I had complied
with the Laws of Marriage with
a Choctaw woman this all being done
as Stated at that time I was said
to be an adopted citizen of the Choctaw
Nation I lived in Columbus about two
years & was as far as I Could looked
upon & Treated as any other citizen of
the country Voting at a Public Election
while there & Was Forced to Separate
from the Place of My former home
and have Enjoyed all the rights as
any other Choctaw Citizen Belonging
to Elections Sitting on Juries
& Purchased Sold Improvements from
from all Classes of the Choctaw people
Giving & Receiving Bills of Sales
that a Trade License Issued to Me
to Traffic in goods paid the tax in to
the National Treasurer for Same Reported
Goods In the Auditors office Received the
Warrants & Scrip My Children all have
Educated In the Public Schools of the
Country having never been turned out
& what little I have In the way of Property
being Invested here & I Owned but little
Petroleum for Either Life & Property
there Except 100 Acres of land among
Some Selfish persons without the Shadow
of Evidence Report Me as an Intruder
Caption Before the Citizens Court
to be nothing But a white man
& having Complied with the Nation
Marriage Law with a Choctaw
woman & the Certificate to that the
complied with that Law, Before the
Court Ruled Against me & ordered
My Wife any Citation at all
and the Evidence the court Summoned
was Certainly In My favor & they have
But one Witness, I Claim the
Court acted without any Evidence
against Me, & further Claim
that the Town Court had no
Jurisdiction In My Case & that
the Whole Proceedings Was Illegal

[illegible] I [illegible] [illegible] I [illegible] in
to [illegible] [illegible] I am a citizen of this
country [illegible] I [illegible] according
to the [illegible] that [illegible] of the law I serve
have a [illegible] consistence with the same that
they [illegible] [illegible] under the Chiefs law
[illegible] to religion & my [illegible] that the
[illegible] authorities have taken in the
[illegible] are [illegible] of [illegible] [illegible]
& contrary to the laws of all civilized governments
~~I therefore hope the Government will take~~
[illegible] I believe in [illegible] and believe
[illegible] that we are working
with at present I hope you will give this
[illegible] your [illegible] consideration
I Remain your obedient Servant
J. B. Bray

To the United States Agent
For the Chickasaws
Minnetonka Ind.

Sworn to and subscribed before me
this 13th day of August 1880.
Stephen Wheeler
Clerk U.S. Dist Court
West Dist Ark

4824
INDIAN OFFICE
Incl. No. 5
1881

Cherokee Nation

Copy
of
National Certificate

No 31

I hereby certify, that L. B. Bray, has served two days as a juror in case of Cherokee Nation vs. Bill Holt charged with ~~larceny~~ arson 2nd trial, tried and acquitted on the 1st day of March 1873

Dated, this 18th day of March 1873

R. R. Taylor
Clerk, C. C. Sequoyah District

Fee 2.00

Executive Department
Tahlequah Sept 15th 1880

I hereby certify the above to be a true and literal copy of the original filed in this office in case of L B Bray. before Commission on Citizenship.

W P Boudinot
Executive Secretary

1824 MISSION OFFICE Indochina 2 1891

4824 | INDIAN OFFICE | Inclos: No. / | 1881

Copy

Office Supreme Court, Cherokee Nation
May 17th 1873

This certifies that J. B. Bray has on file in Office of the Court of Commissions," his marriage license granted by J. L. McGee, Clerk of Dist Court for Delaware District, on the recommendation of seven Cherokee citizens of the Cherokee Nation. to marry Sarah Eastridge, a Cherokee. Also he the said J. B. Bray has served as Juror in case of Cherokee Nation. Vs. Sic-a-Tuw -22- charged with arson, Tried & acquitted in Sequoyah District- Nov 12th 1872. having been recognized as a Cherokee citizen = S E E certificate of service granted by R. R. Taylor, Clk, Dist- Court for Sequoyah Dist. = Papers on file in Off of Clerk of Supreme Court as "Court of Commission"

May 17th 1873-

W. H. Turner. Clerk
Supreme Court. C. N

Executive Dept. Tahlequah. C. N. Sept 15th/80

I hereby certify the above and foregoing to be a true copy of the original filed in this office in the case of J. B. Bray, before the Commission on Citizenship.

W. P. Boudinot
Executive Secretary

Sarah E. Bray
Case

Copy

To all and singular whom it may concern
I do certify that I was appointed census
Marshal to take the census in Sequoyah Dist-
Cherokee Nation in 1870, and Mr F. B. Bray
had lately moved into Sequoyah district
I went to him asked him if he or his
family was Cherokees. he said that his family
was Cherokees. I told him that I had very
strict instructions and that I would require
proof of some kind, and Mr Bray asked to
give him a little time for him to find to the forma
district he had come from and he would
satisfy me. I give him 2 or 3 weeks time
and he did make the proof to my satisfac-
tion by producing a marriage certificate
accompanyed by a petition signed by 7
Cherokee citizens and accompanied by some
letters. and one from the Hon Spring Frog who
was at that time treasurer of the Cherokee
nation. and under them circumstances I
registered Mr Bray and family on the roll
as citizens of the Cherokee Nation. I further
know Mr Bray to be a high minded upright
and a gentleman and a good citizen, and never
have known his rights doubted. He has voted
and taken part in all National affairs until very
recently the cry has been raised against him for no
cause that I know of.

July 3rd 1878

B. F. Bethell

Executive Department
Tahlequah Sept 15th 1881

I hereby certify the within to be a true
~~and~~ copy of the original filed in this office
in the case of F. B. Bray, Ch. Cherokee Nation
before the Commission on Citizenship

W. P. Boudinot
Executive Secretary

INDIAN OFFICE
Inclos: No. 7
1881
4824

4824 | INDIAN OFFICE | Inclos: No. 7 | 1881

Sequoyah Post
Cherokee Nation West
Aug 13th 1886

I Am a Native of what is Known to be the
Old Cherokee Nation State of Georgia I am
a Cherokee Indian by birth and Blood
the Reason I know this is from the fact
that My Grand Mother was a full Blood
Cherokee Woman & She has told me often
that She was a Cherokee Indian. Her
Name before She was Married was Betsy
Hulsey & She Married a Man by the Name
of Eastridge & My Father is the Son of
Betsy Eastridge & his name was Eli
Eastridge & My Mother the Wife of
Eli Eastridge always taught me that I was
the Child of Eli Eastridge Her Lawful
Husband She always taught me to believe
that I was a Cherokee Indian by birth
& Blood therefore it is Morally Impossible
for me to be any thing else but a Cherokee
Indian by birth and Blood. I Married
a Man By the Name of J. B. Bray In the
State of Georgia according to laws of that
State after which we Emigrated to this country
the Cherokee Nation where I claim to have
a Perfect Wright to live & Enjoy all
the Rights to be derived from My blood
& birth I became a Citizen on the first
day of May 1868 & on arrival In

Cherokee Nation } I Cobb Chief of the Cherokee Nation By Brigant Band & three Delegates
Cherokee Nation } from Both Party old Cherokees
Vs } Suit to be temporarily enjoined from the
Cit Nation } Cherokee Nation That I forward
The affidavits of Two Prin. Chiefs from
Both Parties corroborating with the
Two first affidavits Made out by Dep
Com Delinquency Collected by Hendrick
J. Bird Pass to a license with Seven
good citizens of Said Neighborhood Signing
Said Petition as That he is a
citizen of the United States and
Desirous of Becoming acquainted with
the Cherokee Nation By the under
signed Board Judge of Cherokee Nation
I have Given him through with
reference to the Treaty Laws &
Usages of the Cherokee Nation By Which
he has Been admitted to all the
Rights of any other Cherokee citizen
& Entitled to that first Selection for
that I Pass on to Prairie Bluff
to your Benefit citizens after which
he Intends to Negowyah District where
he now Resides The year Rifle was
Issued All as a Family Placed on
the Neal List as Bona fide Cherokee

citizen by Birth Being at Tahlequah
Sitting on their Judicial Business his Duty for
such Service had his Tickets Registered at the
Clerks Office as any other citizen Had a
Trade License & Issued To Him By the National
Committee To Traffic In goods In the Cherokee
Nation for which He paid the National Tax
In to the Treasurer of the Cherokee Nation
He has Bought Sold & Improvements
from all Claimants of the Cherokee Public
Lands & necessary Bills of Sale by Citizens
Touching all his Dealings In the Public
Lands of the Nation having never
Been Turned out of all the Lands that
In the Way of Means is Entitled to
& Now Is of the Cherokee Nation From the
Authorities Above I Consider this
Boy Heard & the Decree of the Court
Upon I Have Done I Submit to the
Pray upon as a Just & Good
Government to Protect Me & My Family
In the Equal rights that belong to
me by Birth & Blood Hoping you will
give this Matter your Earliest Consideration
I Remain Your Obedient Servant
Chief Cherokee Nation

Sworn to and subscribed
before me this 13th day of August
1880

Stephen Wheeler
Clerk U.S. Dist Court
West Dist Ark

INDIAN OFFICE
Inclos: No. 3
1881
4824

4824 | INDIAN OFFICE | 1881
Inclos: No. 3

End

Samantha Butcher

UNITED STATES OF AMERICA,
Indian Territory,
Central District

I, J. Foster, being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of Mary Potter postmaster, at South McAlester, Indian Territory, to Samuel Mayes Principal Chief Cherokee Nation, a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission, to citizenship in the said Cherokee Nation of Lawsonia Butcher

Petition

Lawsonia C Butcher

Affidavit

C C Butcher

Post Office at South McAlester Ind Ter

Registered Letter Parcel No. 248 Date Sept 1896

of J A Foster

D C Butcher

addressed to Samuel Mayes

Tahlequah I T

M A Potter P M

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto attached, to be used in support of said petitions.

J A Foster
Witness the Petitioner

Subscribed and sworn to before me this 7 day of Sept 1896

J A Foster
NOTARY PUBLIC.

End

Martha E Carrier

Original

Affidavit of E. B. Williams. sr. to be read as evidence in behalf of Martha E. Carikes application for Citizenship in the Cherokee Nation as child of Indians.

After first being duly Sworn. the affiant. E. B. Williams deposed and says that his age is (80) Eighty years old. and that his Post office is Scullin Van Buren county Arkansas. the affiant further states that he knows the affiant. Martha E. Carikes and knows that She is Cherokee Indian by blood. that She is the Great Grand Daughter of Betsie Pawell nee Choat

Your affiant States further that Martha E. Carikes is the Daughter of Nancy Stobaugh (nee Riley) and Nancy Stobaugh is the Daughter of Patsy Riley (nee Pawell) and Patsy Riley is the Daughter of Betsie Pawell (nee Choat) whose name appears on the Old Cherokee roll of Citizenship as Betsie Choat or Betsy Choat. She afterwards Married a man by the name of Louis Pawell.

I have known the Choat family ever since the Year 1835. I knew them in the State of Tennessee and I have often heard one Hawk-Choat say that he had Cherokee Indian blood in him. and that affiant further States that himself and the said Hawk Choat Enlisted together in the United States army in 1836

and afterwards we called him (the said Hawk-
Choat) Black Hawk Choat.
The said Hawk Choat Claimed to be Cherokee
Indians by blood
I know the affiant Martha E. Cantier to be
the person she represents herself to be.
affiant further states that he has no interest in
or concerned in any way in the prosecution of
above claim. and that above facts are from
my personal knowledge of same as set forth
(Signed) E S Williams
Subscribed and Sworn to before me on this
the 3rd day of September A.D. 1859
J W Reynolds
Notary Public

I further certify that this is a creditable
Witness
J W Reynolds
Notary Public
My Commission expires July 20th 1900

End

George Carter

State of Tennessee
Bledsoe County

Personally appeared before me J. S. Jones an acting Justice of the Peace for Bledsoe County, Isabella Phillips. who being Sworn according to law & Saith that She is about Eighty four Years old, that when She was about eighteen or twenty Years old She was married to John Phillips of Bledsoe Co. Tn. Tennessee, and that She knows Sarah Phillips, who was the mother of Polly Phillips, and that Polly Phillips was Called a half breed Cherokee Indian. Sarah Phillips having lived with the Cherokee Indians, when young. and bore Children the father of the said Polly being a Cherokee Indian, and that the said Polly Phillips had a number of Children, one named Buck, one named Jack one named Jesse one named George, and others, that Buck Phillips, Jack Phillips. and Jesse Phillips. now live in Bledsoe County Tennessee, and that George, who was Called George Carter as she is informed now lives in Kansas. That Polly the Mother of Buck, Jesse, & Jack Phillips and George Carter, was always Called a half breed Indian by the family of John Phillips and has been dead for a Number of years,

Subscribed & Sworn to before me
This 2nd day of March 1883.

J. S. Jones JP

her
Isabella X Phillips
mark

& Isbell Phillips
mark

POOR ORIGINAL -
BEST AVAILABLE COPY

27120 INDIAN OFFICE Received / 1895



27120

1896

5005

OFFICE THE INTERIOR
RECEIVED
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27120 | OFF OF Indian Affairs Rec'd JUL 3 | 1895

Department of the Interior,
July 2 1895
Respectfully referred to the
Commissioner of Indian
Affairs.
E Womack
Chief Clerk.

George Carter

In regard to
Cherokee citizen-
ship.

Inclo

This Affiant being sixty
years old must show
that he was himself a
slave of a Cherokee Indian
that he was in the nation
at the date of the treaty of
1866, or that he returned
to the nation within six
months thereafter. So
far as payment already
provided for this affiant
is concerned. See 32 33
Ms of Inclos. Files

State of Kansas } ss
Cherokee County }

George Carter of lawful age being duly sworn says that he is 60 years old; That he lives in the county and state aforesaid and has lived there for the last 15 years; that his grand-mother Sarah Phillips, was [redacted] owned and was a full blood Cherokee Indian and that his mother Polly Phillips was the daughter of the said Sarah Phillips and said Cherokee Indian and that this affiant is the son of said Polly Phillips, that this affiant is one fourth blood Cherokee Indian and he now claims his head right in the Cherokee Nation through his freedom right and through his birth right and wants United States protection papers until his rights are fully established in said Cherokee Nation.

George Carter

Subscribed and sworn to before me this 29th day of June 1893.

My term Expires
July 22 1895

W. R. Wheeler
Notary Public

End

Jestern Castoe, Mary L. Sears, Malinda Trussell

Nos. ———

Before Dawes Comm.

In re. Applications
of Mrs. Jestera Carter
" " Mary L. Sears
" " Malinda Trostett et al.
for Cherokee Indian
citizenship

Brief + Argument
of Porter & Bro
for applicants.

Filed Nov. 4-1896,
A. S. McKennon
Comm.

BEFORE THE HON'S. HENRY L. DAWES, FRANK C. ARMSTRONG, A. S. MCKENNON, T. B. CABANISS AND A. B. MONTGOMERY, COMMISSIONERS.

In the matter of the applications of

Mrs. Jestern Castoe, - - - - No. 676,

Mrs. Mary L. Sears, - - - - " 677

Mrs. Eliza J. Hurst, - - - - " 678

Mrs. Sarah J. Reynolds, - - - " 679

and Mrs. Malinda J. Truskett, - -" 680.

Also the applications of

Mrs. Malinda A. Batesel, - - - " 694

John H. Sears, - - - - - - " 695

G. David Sears, - - - - - - " 696

William R. Sears, - - - - - " 697

and James T. Sears, - - - - " 698.

Also the applications of

Albert Castoe, - - - - - - " 670

James Castoe, - - - - - - " 671

Robert Castoe, - - - - - - " 672

Harrison B. Castoe, - - - - " 673

David Castoe, - - - - - - " 674,

and Mrs. Virginia Russell, - - " ____,

for citizenship in the Cherokee Nation.

BRIEF AND ARGUMENT OF PORTER & BARR,ATTORNEYS FOR APPLICANTS.

The defense of the respondent, Chief of the Cherokee Indian Nation, to these several applications, named and numbered as above, is first directed to the jurisdiction of this Honorable Commission, and is presented in the nature of a demurrer to the applications.

We do not care to waste any time or words, so far as this demurrer goes. In a legal sense they admit as true all allegations contained in the several applications, and upon that question we can well afford to invite the judgment of this Commission upon the allegations as set forth in the respective and verified applications of all the claimants.

We have no doubt whatever as to the power of the Congress of the United States, with the approval of the Executive, to appoint this Honorable Commission to make an authenticated roll of the Cherokee Indian people, and we therefore submit that the demurrers attacking the jurisdiction of this Commission should be disregarded and in all things over-ruled.

These several applications present different conditions, but all derive their Cherokee Indian blood, and trace their lineage from and through the same common source.

The application of Mrs. Jestern Castoe, first above named, shows the family history, and a part of the evidence which effects the status more or less of all the several above named applicants. We have attached most of the evidence, in the way of exhibits, to the three applications of Mrs. Jestern Castoe, Mrs. Mary L. Sears and Mrs. Malinda J. Truskett, and reference is made to these three several applications in support of all the others.

The majority of these applicants have made and presented to the Chief and Cherokee Council their applications for admission to citizenship. None of the applications so made have ever been acted upon by the Chief or Council. The names of the several applicants who still have pending, before the Chief and Council, their applications for citizenship, are Mrs. Mary L. Sears, Mrs. Malinda J. Truskett, Mrs. Eliza Hurst, Mrs. Sarah Reynolds, Mrs. Virginia Russell, John H. Sears, G. David Sears, Wm. R. Sears, James T. Sears, Harrison B. Castoe, David Castoe and James Castoe; the others have never made formal application to the Cherokee authorities for admission.

One other feature that should also be noted at the outset is the residence of these several parties; Mrs. Truskett and all of the Sears and Castoe families, except Mrs. Jestern Castoe, are residing and for a long time have been residing in the Cherokee Indian Nation as citizens thereof.

The respondent, Chief of the Cherokee Nation, goes beyond the demurrer to these various applications, and proceeds to answer them formally. We think it unnecessary to traverse the various formal denials set up by the respondent in his several answers, and desire to present these several claims upon their respective merits, and for that purpose make the following;

STATEMENT OF FACTS.

Benjamin Sinnes was a Cherokee Indian by blood, and lived at Jackson City, or near there, in the State of Alabama, and was enrolled by the United States census takers in that State, and was always acknowledged by the United States and by the Cherokees as a citizen, and came West under the treaty of 1835.

There is no direct evidence as to what year he left the State of Alabama, and as to where he settled after leaving that State.

Jemima Sinnes, the daughter of Benjamin, was also on the Cherokee sensus rolls in the State of Alabama, and married one Jack Coots. Mrs. Jestern Castoe, formerly Jestern Coots, is the oldest living descendant of the Sinnes family. Mrs. Jestern Castoe is therefore the mother of Mrs. Mary L. Sears, and is otherwise related to all the applicants above named. For direct proof of this family lineage see affidavits of Andrew J. Smith, Thomas J. Taylor, et al, annexed to the applications of Mrs. Trammell, Mrs. Sears and Mrs. Jestern Castoe.

Mrs. Jestern Castoe is now a very old lady, and married her present husband, John E. Castoe, in the year 1837. She is unquestionably a Cherokee Indian woman, and to all appearances is of full blood. Mrs. Mary L. Sears and her children, and also her brothers have made due application to the Cherokee authorities to be admitted to citizenship. These applications are still pending, and have never been rejected.

All of these parties are therefore Cherokee Indian citizens by blood and are entitled to recognition, unless from some process of law or act of their own they have become disqualified.

We concede that none of these applicants are entitled to be admitted as citizens unless Mrs. Jestern Castoe and her daughter Mrs. Mary L. Sears, and her grand-daughter Mrs. Malinda Truskett are entitled to admission.

We desire, therefore, to direct the attention of this Honorable Commission mainly to a consideration of these three last named applications.

And we wish to further suggest that these claims should be considered upon their merits because they have been duly presented and urged before the Cherokee Indian authorities long before this Honorable Commission had any existence and was charged with the duty of making a Cherokee Indian roll of citizenship.

It cannot be said that these applications are therefore an after-thought and made for the purpose of obtaining something which has come in sight since the applications were presented to the Cherokee Indian authorities.

These parties have been prosecuting laboriously and in the best of faith their claims for admission into the Cherokee Indian Nation before the regularly constituted Cherokee authorities.

We know of no reason why the Cherokee authorities should refuse to take some action on these several claims for admission when they had been duly and lawfully presented to the Chief and Council for investigation and decision. They must have been regarded by the Cherokee authorities as having merit, otherwise they would have been rejected.

NATURE OF RESPONDENT'S DEFENSE.

From the formal allegations of denial set forth in the respondent's answers to these several applications, we infer that great stress is and will be made upon the theory that Cherokee Indian citizenship must rest and be determined, as a fundamental principal, upon the question whether or not the applicant, or his or her ancestors, came West at some certain time to the Indian Territory, or to the Cherokee Indian Nation, as it is now located and defined.

And to the further application that proposition that an applicant's name, or the name of his or her ancestors must appear on some authenticated roll of the Cherokee tribe.

Such a test, under prevailing conditions with the Cherokee people we insist is neither lawful nor honorable. But in these several cases the proof shows conclusively that the ancestors names were on the Cherokee Indian rolls, and that said ancestors were duly and lawfully recognized and acknowledged as Cherokee Indians, entitled to and enjoying all the rights and privileges of citizenship. We therefore desire

to discuss this question from other standpoints.

When did the Cherokee people come West? Have they not been coming West from time to time for the past forty or fifty years? Have not some of them gone much further West than the Indian Territory, and lived in other States and localities, and then come back again within the boundaries of the Cherokee Nation and been received without objection as members? And have not some of them who have lived outside of the technical Cherokee Nation boundaries, and who have afterward returned at their own will, been received, accepted and acknowledged as Cherokee citizens, either with or without a formal application for readmission? We cite the case of Ex-Chief D. W. Bushyhead and others.

Then again, do not many lawfully recognized Cherokees live outside of the Cherokee Indian Nation, some in the State of Kansas, some in Missouri, others in Arkansas, Tennessee and Texas.? Are not many still living and residing back in their earlier homes in the States of North and South Carolina, Georgia, Alabama and Tennessee?

We contend that no fixed or technical rule can be applied to all these various conditions and do equal justice to the various applicants.

Some years ago the Cherokee authorities undertook to promulgate a law ~~xxxxxx~~ requiring all Cherokees who were not then living within the Cherokee boundaries to come and take up their abode in the Nation within a certain time or their rights to citizenship would be barred and forfeited. Viewed from any basis or standpoint of American law we insist that such a promulgation would be absolutely unconstitutional and void, for reasons which we shall present more fully on a later page of this discussion.

WHAT CONSTITUTES CHEROKEE CITIZENSHIP.

No mathematical or positive definition can apply to all the complicated conditions surrounding lawful and equitable citizenship.

First, We say (with scarcely an exception), Cherokee Indian blood.

Second, A continuous and existing intention to be and remain such citizen.

Third, Not having formally or lawfully renounced or signed away the right to citizenship.

The question of residence can have but little concern in determining this matter. It cannot be said that the question of residence is a necessary element of citizenship among the people of the United States. The question of residence may and should have some governing force in determining the intention of the applicant; beyond that, residence is entirely immaterial.

In these cases, their claims are supported by positive evidence of Cherokee Indian blood, and it should be presumed that they have an abiding and existing intention to be considered and remain as Cherokee citizens, and have done everything that any persons in like circumstances could be expected to do in the way of establishing and proclaiming their rights. Long continued and present residence among the Cherokee people, without objection or molestation, further establishes their claims. Furthermore, we urge that they never have in any way abandoned or renounced, signed away or parted with their birthright as Cherokees.

Mrs. Jestern Castoe is a very old lady, but when she was a young woman she married her present husband. She was then a Cherokee Indian girl named Jestern Coots. Her case is that of a young girl marrying a white man and following his fortunes through married life.

Her descendents are now several of them living in the Cherokee

country and among the Cherokee people. Several of them are also living in the border states surrounding the Cherokee Nation as appears from the several applications now under discussion. Her daughter, Mrs. Sears, her grand-daughter Mrs. Truskett, unquestionably Cherokee Indian women by blood, and most of the other applicants, have come to the Cherokee country and now live there, and have lived there for a long time as their homes. They have made due application in good faith to the Cherokee authorities for readmission. These claims have not been determined, and are now presented to this Honorable Commission for such determination, upon their respective merits.

Suppose the case of Mrs. Jestern Castoe, formerly Miss Jestern Coots, to be that of an American girl marrying a man at her father's home in some State of the American Union, and then going with her husband to some other State, or to some country beyond the United States, even to a foreign country, always living with her husband and still living with him and raising a family of children; Wherever the home of her husband was, was her home. And then after many years she returns to the old childhood home where she was born. Could such a train of circumstances, facts and conditions bar or forfeit her rights to a legitimate share of an estate of inheritance in common with her brothers and sisters? We insist not.

And we further insist that in the cases of these several applicants it would take some positive and actual declaration or act of their own to cut off their rights as Cherokee Indian citizens. And never having waived such rights in any way, shape or form they are now entitled to be enrolled with the rights of Cherokee Indian citizens.

PRESENT STATUS OF CHEROKEE TRIBE.

For the purposes of this discussion we may assume that the tribal relations of the Cherokees are dissolved; That the Cherokee Tribe, as

a Nation and body politic, is dead. An estate of inheritance is to be distributed. Who are the just and lawful heirs? It cannot be said that several children of the same parent, who had been scattered in various States and Countries during the parents life time, had forfeited their rights to an inheritance because they had not always lived at the old homestead. Neither can it now be said in these cases that those who have not always lived and crowded themselves together within the technical boundaries of the Cherokee Indian Reservation are, by reason of that fact, deprived of their lawful rights.

These cases present much stronger features than as stated by way of illustration in the foregoing out-line. These applicants have never waived or forfeited any of their rights, but under all reasonable circumstances and conditions have been asserting them, and have applied to the proper authorities in their own behalf for recognition. They are therefore just as much entitled to a share in the final distribution of the Cherokee benefits as though they had always lived on the Cherokee reservation.

To all outside appearance, and for the purpose of bona-fide intentions, these applicants are Cherokees. They have come back and are dwelling among the Cherokee people without objection and without molestation. The other distributees of the common Cherokee fund can make no just or lawful objection to having these applicants participate equally in common with them in the final settlement of the common property.

THE EQUITABLE STATUS.

Tried by equitable definitions, the claims of these applicants are entitled to the strongest consideration. If objection be made to their claims as Cherokees by others interested in the estate, we

submit that such objections are without good and reasonable foundations.

During the years they have been absent they have in no way participated in any of the benifits, advantages and emoluments, if such there have been, that the other Cherokees have enjoyed. The other participants are therefore in no position to complain of their rights now being recognized, because no part of whatever benefits or revenues have been received and distributed has ever reached them.

Everything in the way of posession and revenue that has heretofore come to the Cherokee people has been received and distributed without any portion being assigned to these applicants. They are now making no claim for contribution in the way of past revenues due them, but are merely asking for just and equitable recognition in the final distribution of the common estate.

UNCONSTITUTIONAL LEGISLATION PURPORTING TO FORFEIT VESTED RIGHTS.

We desire to call your attention to some of the enactments, or pretended laws, passed by the Cherokee authorities, with reference to the status of citizenship.

One law assumes to enact that all Cherokee people who do not come to the Reservation and live, within a certain time, shall forfeit and forever be disbarred from all their rights and benefits among the Cherokee people.

Many questionable methods have been pursued, adopted and acquiesced in by the Cherokee Indian Government in making the roll of Tribal membership. Many have been permitted to buy their rights as citizens, sometimes for a mere song or a coon-skin or buffalo robe, or some supposed, pretended or imaginary influence, and frequently for a meager cash consideration. Many acquiring their rights through such means and devices are now loudly proclaiming objections against others who have moral, legal and equitable rights beyond controversy.

It is not our purpose here to draw distinctions, or to recite the past wrongs and misdoings on the part of others as a reason for obtaining right in these particular cases. But we insist that it does not lie within the province of the Cherokee Indian Nation, through the instrumentality of its laws or otherwise, to assume to cut off the vested rights of native born Cherokee Indians simply because some of them do not always and all the time stay at home in the common hive. Those who have gone away by reason of marriage, or for other good and lawful reasons, and have lived in adjoining states have felt and realized the benefits of American education and civilization, and in so doing have certainly been conforming to the advanced ideas of Indian education and progress.

Then a law which pretends to prohibit Cherokees from all after-enjoyment of their vested rights as Cherokees because they leave for lawful purposes the technical boundaries of the Cherokee domain for a certain time, is entirely contrary to the spirit and genius of civilization and advancement.

Furthermore, such a law is unconstitutional, reckless and void because it assumes to carry no reasonable or lawful notice to those whom it is intended to reach and disfranchise.

The question of heirship, inheritance, tribal and family lineage, descent and distribution, are all here for consideration and adjustment, and should be given a broad and liberal construction.

CHEROKEE CENSUS ROLLS OF CITIZENSHIP.

One clause of the respondent's answer seems to place reliance upon what may be termed or claimed as authentic Cherokee rolls of citizenship. We submit that all such pretended rolls are a mere farce, so far as the rights of a great many of the Cherokees are concerned. All kinds of scheming and "log-rolling" methods have been practiced in the

matter of Cherokee citizenship. The Cherokee census rolls can only be partially authentic or reliable, and we submit that whether or not the name of the Cherokee Indian citizen, or the name of his or her ancestors is on any pretended census roll is no absolute test of its being rightfully there, or not there.

In these cases, the only way to reach a just and correct conclusion is by an inspection and careful consideration of their verified applications, with all exhibits and matters of evidence relating thereto. They have tried, by every known and honorable method, to obtain a respectful hearing and determination of their claims before the regularly constituted Cherokee authorities. While their claims have been pending, and by the Cherokees passed over in neglect and silence, others have been admitted without any actual grounds of merit whatever, unless a "revenue" basis should be considered as meritorious.

We feel that we can not too strongly emphasize the merits of these claims for recognition.

FORMER UNITED STATES COURT DECISIONS.

On the part of the respondent in these cases it will likely be claimed, with great confidence, that the Supreme Court of the United States has really fixed and determined all these questions. The Supreme Court of the United States, however, has never been called upon to pass judgment on the conditions now presented.

Very much reliance will undoubtedly be placed upon the opinion of the Court in the 117 United States Supreme Court reports, which relates to the rights of the Eastern Cherokees, so-called, to participate in some of the Cherokee funds.

This was a sort of local controversy between the Eastern and Western Cherokees, so called, and relates to the distribution of a preliminary fund. It had no reference to what would be a just and proper distribution of the final common property.

The opinion above referred to, and some other opinions touching upon this same subject, should have no governing influence or control over the circumstances and conditions which are now to be finally considered.

The Cherokees have assumed to posess the absolute right to determine for themselves who are entitled to citizenship, but this right has been so grossly abused in various ways and at different times that Congress has refused to recognize any such right or authority as being reposed exclusively in the Cherokee people themselves. The very act of Congress in constituting and clothing with proper authority this Honorable Commission is a sufficient answer to this whole question. It is therefore no wonder or surprise that the respondent, Chief of the Cherokee Nation, demurs to and denies the jurisdiction of this Honorable Commission to pass judgment on this very question.

It is only through an honorable tribunal lifted above the slough of scandal and reproach that just and meritorious applicants can hope to receive respectful adjudication.

CONCLUSION.

We contend, in conclusion, that this Commission should admit these several applicants to the roll of Cherokee citizenship, and simply do what the Cherokee authorities should have done several years ago. We confidently believe, and state with emphasis, that no one, after looking over the unquestioned statements and allegations set forth in these respective petitions, can say but what the Cherokee authorities ought to have admitted them as members, and this Honorable Commission is now simply asked in these cases to do just what the Cherokee authorities have had large and long opportunity to do and should have done.

If the Cherokee Chief and Council claim the right to determine the qualifications of their own citizens and decide and refuse to exercise that right, it then becomes necessary for some one to discharge that duty in their stead.

So far as the applications of those who reside, and for many years have resided out of and away from the Cherokee Indian Nation, are concerned, we submit that possibly a different view of their rights will be entertained by this Commission than should govern the other applicants; but if our view as to the right of inheritance is correct we still insist that it matters not where the applicants of applicants may be so long as they are of unquestioned Cherokee Indian blood and have never parted with in any way, or abandoned their rights.

To deny these several applicants their rights at this time, and under the circumstances, facts and conditions which their several claims present, we think would be a great injustice to them, and would certainly be regarded as a wrong by the great majority of the Cherokee Indian people themselves.

In closing this argument we make special request that this Honorable Commission will carefully and critically examine the first three applications of Mrs. Jestern Castoe the grand-mother, the application of Mrs. Mary L. Sears the daughter, and of Mrs. Melinda Truskett the grand-daughter, with all exhibits as evidence annexed thereto which show their family history, and their laborious efforts and actual good faith in trying to get action and recognition on their claims to citizenship before the Cherokee Chief and Council. All of which is respectfully submitted.

Porter & Barr

Attorneys for applicants.

End

M. M. Caulk et al

RECEIVED
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INDIAN DIV.

DEPARTMENT OF INTERIOR.

INDIAN AFFAIRS.

.....

PETITION

OF

M. M. CAULK. Chale.

.....

30801 INDIAN OFFICE 1894.
Petition No. 1

Division of Allotments
(Muskogee I.T.)
Allotment

To The Honorable

Secretary of the Interior:

The undersigned,M.M.Caulk,in behalf of his mother,Rhoda Caulk,and of her children and grandchildren,and of himself and his [redacted] Thirty Four (34) persons,[redacted] make known that the said Rhoda Caulk was a daughter of Edith Schrimsher,who was a daughter of John Vann:That the said John Vann was a full blood Cherokee and a member of the Cherokee Nation and resided in the old Cherokee Nation in the State of Tennessee,and said John Vann and his family were enrolled as Cherokees in the year 1832 and the said John Vann and the said Edith Vann,or Edith Schrimsher,were removed by the Government of the United States from Tennessee and brought to the Cherokee [redacted]

That the said Rhoda Caulk,daughter of said Edith [redacted], was raised in the Cherokee Nation,and she and all her family recognized in every way as members and citizens of the Cherokee Nation until about the year 1847: That said Rhoda Caulk is now temporarily residing at Tiff City in the State of Missouri,but has an improvement in the Cherokee Nation,consisting of One Hundred and Sixty (160) Acres under fence,the larger portion of which is broken,with house and outbuildings,all of the value of [redacted] Hundred Dollars ($800.00) and there are of [redacted] whose behalf this petition is made,that are now [redacted] Cherokee Nation,the following: M.M.Caulk,and his children as follows: Edward H: Elenor M: Resi M: Arthur P: Rhoda:Lemuel:[redacted], and Nellie Martin: Mary A.Caulk and her children,Jessie:Bessie, and Laura: Margaret E.Hall's children,Robert:Newton:Dora and

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Henry: Fannie Grey and her children,Orie,Myra and Rilla: Pleasant Caulk and his children,Millard,Jewell and Grattan:And there are of the descendants of said Rhoda Caulk,(besides Herself) now residing outside of the Territory,eight persons:

That after having been for many years recognized by all [redacted] as full citizens of the Cherokee Nation, [redacted] reason placed upon the list of doubtful citizens and refused their rights.

That acting under the advice of their counsel,C.Brownell,Esq, of Washington,relying upon his knowledge of the law,they applied to the 'Adair Commission',in the year 1887,and furnished to it, the evidence of their right to citizenship and the said Commission decided that as these petitioners claimed their rights under the Roll of 1832,the Commission had no jurisdiction to act upon their case: That before the same Commission,one,Lem Paris,and others who claimed citizenship under another daughter of the said John Vann,viz:Nancy Childers,who had been enrolled in 1835,were duly admitted and have ever since been enjoying all the rights and privileges of citizens in the Cherokee Nation: That these petitioners did not receive any notice of the hearing of cases recently had before C.C.Duncan,Esq.,Inspector,and did not see the public notice given by him of such hearing,and had no knowledge that a hearing was being given to those who had once been recognized and afterwards refused recognition!

WHEREFORE,your petitioners most humbly pray that an opportunity may be given them by the Government of the United States to have a full and fair hearing of their claim to the rights and privileges of citizens of the Cherokee Nation.

W. W. Caulk

POOR ORIGINAL -
BEST AVAILABLE COPY

Indian Territory ()
() SS.
First Judicial Division. ()

On this 15 day of November, 1893, personally appeared before me [redacted] a Notary Public within [redacted] ed, qualified and acting as such, M.M.Caulk, to me well known as the person who had subscribed the foregoing petition, and whom I certify to be a credible and reputable person, and on his oath stated that he knew the contents of the same and that the statements therein contained are true as he verily believes.

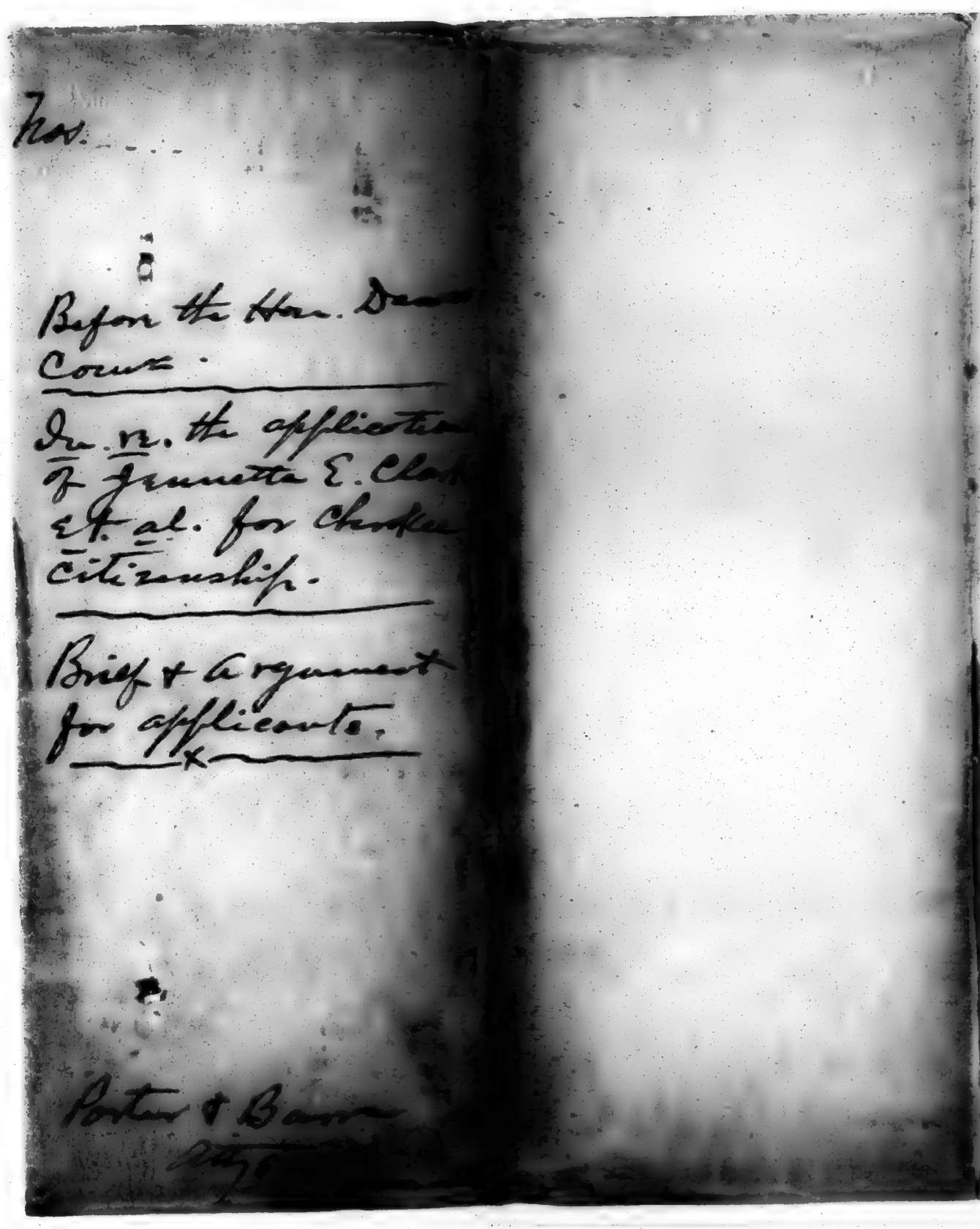
Given under my hand and seal, this 15 day of November, 1893.

[redacted]

POOR ORIGINAL -
BEST AVAILABLE COPY

End

Jennetta E. Clark


Nos. . . .

Before the Hon. Dennis Court.

In re. the application of Jeanetta E. Clark et al. for Chinese Citizenship.

Brief & Argument for applicants.

Porter & Barnes
Attys

BEFORE THE HON'S. HENRY L. DAWES, FRANK C. ARMSTRONG,

A. S. MCKENNON, T. B. CABANISS AND A. B. MONTGOMERY, COMMISSIONERS.

In the matter of the applications of Jennetta E. Clark, Mrs. Mary Millard, Cary Millard, Mrs. Martha Jane Reynolds, Mrs. S. Hattie Bellmyer, and Mrs. Adaline Kennedy, for citizenship in the Cherokee Nation.	No's.

We have been unable to obtain the numbers of the above named applications from your Honorable Secretary.

BRIEF AND ARGUMENT OF PORTER & BARR, ATTORNEYS FOR APPLICANTS.

The defense to the claims of these applicants is first directed to the jurisdiction of this Honorable Commission, in the nature of a demurrer to the applications.

We submit there is no occasion for wasting time or words so far as the demurrer goes. Considered in a legal sense, it admits as true all allegations contained in the applications, and upon that question we could well afford to invite the judgment of this Commission upon the allegations as set forth in the respective and verified applications of Mrs. Jennetta E. Clark, Mrs. Mary Millard, her son Cary Millard, and Mrs. Adaline Kennedy, because all of the foregoing named applicants have been living in the Cherokee Nation, Indian Territory, for many years and are still living there, and are of unquestioned Indian blood.

The residence and conditions surrounding the other two dependants of Mrs. Clark are different because one of her daughters, Mrs. Martha Jane Reynolds, now lives in the State of Indiana, and her other daughter, Mrs. S. Hattie Bellmyer, now lives in Oklahoma Territory.

We therefore submit that the demurrer attacking the jurisdiction of this Commission should be disregarded, and so far as it relates to the interest of the several parties mentioned, should be in all things over-ruled.

The respondent, Chief of the Cherokee Nation, goes beyond the demurrer to the claims of these several applicants, and proceeds to answer formally the various applications.

We think it unnecessary to traverse the various formal denials set up by the respondent in his answers, but desire to present the merits of the claims of Mrs. Jennetta E. Clark, and those claiming under her as dependants, and present the following statement of facts:

First as to Mrs. Clark.

The undisputed proof is, that when a young woman at the age of 22 she married Jesse Clark, a white man and on the day of her marriage she left her home and friends among the Cherokee people in North Carolina and, according to all precedents of lawful and domestic domicile, her home after her marriage was the home of her husband. She is unquestionably a Cherokee Indian woman by blood, which fact is proven by her own sworn statement and the affidavits of Evander Archer, Alexander Archer and her mother Nancy Morgan.

After her husband died, while she was living on the border of the Cherokee Nation and just over the line in the State of Kansas, she immediately went and took up her residence with her former people, the Cherokees. She is now, and for several years past has been living among them. She has no other home.

As soon as she was able she made application to the Chief and Council of the Cherokee Nation to be readmitted as a recognized member of the Tribe. Her application for such readmission was never acted upon, and certainly it was never denied by the Cherokee authorities.

Her status is therefore that of a Cherokee citizen, born and raised among the Cherokees in the State of North Carolina until married, and then following the fortunes of her husband until after his death, and she then returning to the society, home and residence of her ancestors.

Two of her children, viz., Mrs. Adaline Kennedy and Mrs. Mary Millard are also living in the same neighborhood among the Cherokee people, as appears by their respective applications. The other children, viz., Mrs. Martha Jane Reynolds and Mrs. S. Hattie Bellmyer, are married and living with their husbands in other localities.

We concede that none of these applicants who are descendants and children of Mrs. Clark should be restored to Cherokee Indian citizenship unless her claim is allowed as a foundation for the others. In other words, all must stand or fall on the determination of Mrs. Clarks claim. It is therefore best to direct our attention mainly to the strength and force of Mrs. Clark's application.

We desire to call attention to the fact that her claim for recognition as a Cherokee cannot be attacked on the ground that it is an after-thought, or now made merely for the purpose of obtaining the benefits and advantages incident to citizenship on account of any final distribution of the common Cherokee property or funds.

The affidavits of the two Archers and of her mother were made, unquestionably, with a view of obtaining admission into the Cherokee Nation long before any fund had materialized for immediate or future distribution. It was therefore, beyond question, her full purpose and intent to come back to and among her own people; and her after-conduct in applying for admission directly to the Chief and Council, and residing continuously among the Cherokees, is certainly sufficient and positive evidence of absolute good faith.

The affidavits upon which Mrs. Clark relies to prove her family history and lineage, and which are a part of her application , were made and verified, two of them in the year 1888 and one in 1892. It is therefore conclusive that for more than eight years last past she has been intending and still intends to make claim to her rights as a Cherokee citizen and have such rights lawfully established.

We know of no reason why the Cherokee authorities should refuse to take some action on her claim when it had been duly and lawfully presented to the Chief and Council for investigation and decision. It must have been regarded by the Cherokee authorities as having merit, otherwise it would have been promptly rejected.

Nature of Respondent's defense.

From the formal allegations set forth in the respondent's answer we infer that great stress is and will be made upon the theory that Cherokee Indian citizenship must rest upon the question, as a fundamental principle, of whether the applicant or his or her ancestors came West at some certain time to the Indian Territory, or to the Cherokee Indian Nation as it is now located and defined. And to the further proposition that an applicant's name or the name of his or her ancestors should appear on some authenticated roll of the Cherokee Tribe. Such a test we insist is neither [redacted], lawful or equitable. When did the Cherokee people come West? Have they not been coming West from time to time for the past forty years? Have not some of them gone much further West than the Indian Territory and lived in other states and localities, and then came back again within the boundaries of the Cherokee Nation and been received without objection as members? And have not some of them who have lived outside of the technical Cherokee Nation boundaries, and who have afterward returned at their own will, been received, accepted and acknowledged as Cherokee citizens, either with or without a formal application for readmission? We cite the case of Ex-Chief D. W. Bushyhead and others.

Then again, do not many lawfully recognized Cherokees live outside of the Cherokee Indian Nation, some in the state of Kansas, some in Missouri, others in Arkansas and Texas? Are not many still living and residing back in their earlier homes in the States of North and South Carolina, Georgia and Alabama?

We contend that no fixed or technical rule can be applied to all these various conditions and do equal justice to the various applicants.

Some years ago the Cherokee authorities undertook to promulgate a law requiring all Cherokees who were not then living within the Cherokee boundaries to come and take up their abode in the Nation within a certain time or their rights to citizenship would be barred and forfeited. Viewed from any basis or standpoint of American law we insist that such a promulgation would be absolutely unconstitutional and void, for reasons which we will present more fully on a later page of this discussion.

What Constitutes Cherokee Citizenship?

No mathematical or positive definition can apply to all the complicated conditions surrounding lawful and equitable citizenship.

First, We say (with scarcely an exception) Cherokee Indian blood.

Second, A continuous and existing intention to be and remain such citizen.

Third, Not having formally or lawfully renounced or signed away the right to citizenship.

The question of residence can have but little concern in determining this ~~question.~~ matter. It cannot be said that the question of residence is ~~an exclusive~~ a necessary element of citizenship among the people of the United States, or of any civilized Nation. The question of residence may and should have some governing force ~~on the question~~ in determining the intention of ~~th~~ the applicant; beyond that, residence is entirely immaterial.

In the case of Mrs. Clark, her claim is supported by positive evidence of Cherokee Indian blood, and it should be presumed that she has an abiding and existing intention to be considered and remain as a Cherokee citizen, and has done everything that any person in like circumstances could be expected to do in the way of establishing and proclaiming her rights. Long continued and present residence among the

Cherokee people without objection or molestation further establishes her claim. Furthermore, we urge that she has never in any way abandoned or renounced, signed away or parted with her birth right as a Cherokee.

Suppose her case to be that of an American girl marrying a man in one State of the American Union, and going with her husband to another State, or even beyond the United States to a foreign country, always living with her husband and raising a family of children wherever the home of her husband was, and then finally returning in after years to the old childhood home. Should such a train of circumstances and conditions bar and forfeit her rights to her legitimate share of an estate of inheritance in common with other lawful distributees? We insist that it would take some positive and actual declaration and act of Mrs. Clark to cut off her rights as a Cherokee Indian citizen under the circumstances and evidence presented in her case.

Present Status of Cherokee Tribe.

For the purposes of this discussion we may assume that the tribal relations of the Cherokees are dissolved; That the Cherokee Tribe as a Nation and body politic is dead. An estate of inheritance is to be distributed. Who are the just and lawful heirs? It cannot be said that several children of the same parent, who had been scattered in various States or Countries during the parents life time, had forfeited their rights to an inheritance because they had not always lived at the old homestead. Neither can it now be said in these cases that those who have not always lived and crowded themselves together within the technical boundaries of the Cherokee Indian Reservation are, by reason of that fact, deprived of their lawful rights.

The cases of Mrs. Clark, and also of two of her married daughters and one grandson, Cary Millard, are much stronger than as stated in the foregoing outline. She certainly has never waived or forfeited any of her rights, but under all reasonable circumstances and conditions has been asserting them. She is therefore just as much entitled to a share in the final distribution as though she had lived every hour of her life among the main body of the Cherokee people. The other distributees of the common Cherokee fund can make no just or lawful objection to having her participate equally in common with [redacted]

The Equitable Status.

Tried by equitable definitions, the claim of Mrs. Clark is entitled to the strongest consideration. If objection be made to her claim as a Cherokee by others interested in the estate, we submit that such objections are without good and reasonable foundations.

During the years that she has been absent she has in no way participated in any of the benefits, advantages and emoluments, if such there have been, that the others have enjoyed. They are therefore in no position to complain of her rights now being recognized, because no part of whatever benefits or revenues may have been received and distributed, has ever reached her.

Everything in the way of possession and revenue that has heretofore come to the Cherokee people has been received and distributed without any portion being assigned to her. She is now making no claim for contribution in the way of past revenues due her, but is merely asking for just and equitable recognition in the final distribution of the common estate.

Unconstitutional Legislation Purporting to forfeit vested rights.

Referring again to a subject barely hinted at, and left for after-consideration on page 5 of this brief, we now say that many and various propositions and devices of legislation have been resorted to from time to time by the Cherokee authorities to fix and determine the status of citizenship.

Many questionable methods have been pursued, adopted and acquiesced in by the Cherokee Indian Government in making the roll of Tribal membership. Many have been permitted to buy their rights as citizens, sometimes for a mere song or a coon-skin or buffalo robe, or some supposed, pretended or imaginary influence, and frequently for a meager cash consideration. Many acquiring their rights through such means and devices are now loudly proclaiming objections against others who have moral, legal and equitable rights beyond controversy.

It is not our purpose here to draw distinctions or to recite the past wrongs and misdoings on the part of others as a reason for obtaining right in these particulars cases. But we insist that it does not lie within the province of the Cherokee Indian Nation, through the instrumentality of its laws or otherwise, to assume to cut off the vested rights of native born Cherokee Indians simply because some of them do not always, and all the time stay at home in the common hive. Those who have gone away by reason of marriage, or for other good and lawful reasons, and live in adjoining states have felt and realized the benefits of American education and civilization, and in so doing have certainly been conforming to the advanced ideas of Indian education and ~~advancement~~ progress.

Then a law which pretends to prohibit Cherokees from all after enjoyment of their vested rights as Cherokees because they leave, for lawful purposes the technical boundaries of the Cherokee domain

for a certain time, is entirely contrary to the spirit and genius of civilization and advancement.

Furthermore, such a law is unconstitutional, reckless and void because it assumes to carry no reasonable or lawful notice to those whom it is intended to reach and disfranchise.

The questions of heirship, inheritance, tribal and family lineage, descent and distribution, are all here for consideration and adjustment, and should be given a broad and liberal ~~consideration~~ construction.

Cherokee Census Rolls of Citizenship.

One clause of the respondent's answer seems to place reliance upon what may be termed or claimed as authentic Cherokee rolls of citizenship. We submit that all such pretended rolls are a mere farce, so far as the rights of a great many of the Cherokees are concerned. All kinds of scheming and "log-rolling" methods have been practiced in the matter of Cherokee citizenship.

The Cherokee census rolls can only be partially authentic or reliable, and we submit that whether or not the name of a Cherokee Indian citizen, or the name of his or her ancestors, is on any pretended census roll is no absolute test of its being rightfully there, or not there.

In these cases of Mrs. Clark and her children, the only way to reach a just and correct conclusion is by an inspection and careful consideration of her verified application with all exhibits and matters of evidence relating thereto. She has tried, by every known and honorable method, to obtain a respectful hearing and determination of her claim before the regularly constituted Cherokee authorities. While her claim has been pending, and by them passed over in neglect and silence, others have been admitted without any actual grounds of merit

whatever, unless a "revenue" basis should be considered as meritorious.

We feel that we cannot too strongly emphasize the merits of Mrs. Clark's claim for recognition.

Former United States Court Decisions.

On the part of the respondent in these cases it will likely be claimed, with great confidence, that the Supreme Court of the United States has really fixed and determined all these questions. The Supreme Court of the United States, however, has never been called upon to pass judgment on the conditions now presented.

Very much reliance will undoubtedly be placed upon the opinion of the Court in the 117 United States Supreme Court reports which relates to the rights of the Eastern Cherokees, so-called, to participate in some of the Cherokee funds.

This was a sort of local controversy between the Eastern and Western Cherokees, so-called, and related to the distribution of a preliminary fund. It had no reference to what would be a just and proper distribution of the final common property.

The opinion above referred to, and some other opinions touching upon this same subject, should have no governing influence or control over the circumstances and conditions which are now to be finally considered.

The Cherokees have assumed to posess the absolute right to determine for themselves who are entitled to citizenship, but this right has been so grossly abused in various ways and at different times that Congress has refused to recognize any such right or authority as being reposed exclusively in the Cherokee people themselves. The very act of Congress in constituting and clothing with proper authority this Honorable Commission is a sufficient answer to this whole question. It is therefore no wonder or surprise that the respondent, Chief of the

Cherokee Nation, demurs to and denies the jurisdiction of this Honorable Commission to pass judgment on this very question.

It is only through an honorable tribunal lifted abouve the slough of scandal and reproach that just and meritorious applicants can hope to receive respectful adjudication.

Conclusion.

We contend, in conclusion, that this Commission should admit Mrs. Clark to the roll of Cherokee citizenship, and simply do what the Cherokee authorities should have done several years ago. We confidently believe, and state with emphasis, that no one, after looking over the unquestioned statements and allegations set forth in her petition, can say but what the Cherokee authorities ought to have admitted her as a member, and this Honorable Commission is now simply asked in her case to do just what the Cherokee authorities have had large and long opportunity to do, and should have done.

If the Cherokee Chief and Council claim the right to determine the qualifications of their own citizens and neglect and refuse to exercise that right, it then becomes necessary for some one to discharge that duty in their stead.

So far as the applications of Mrs. Bellmyer and Mrs. Martha J. Reynolds are concerned, who are daughters of Mrs. Clark, and who reside and for many years have resided out of, and away from the Cherokee Indian Nation, we submit that possibly a different view of their rights will be entertained by this Commission than should govern the other applicants; but if our view as to the rights of inheritance is correct we still insist that it matters not where the residence of applicants may be so long as they are of unquestioned Cherokee Indian blood and have never parted with in any way or abandoned their rights.

Mrs. Clark, the mother, and her other descendants than the two mentioned aforesaid, are now and for many years have been actually residing in good faith in the Cherokee Indian Nation. To deny Mrs. Clark her rights at this time, and under the circumstances and conditions which her claim presents, we think would be a great injustice to her, and would certainly be regarded as a wrong by the great majority of the Cherokee Indian people.

In closing this argument, we make special request that this Honorable Commission carefully and critically examine the application of Mrs. Clark, with all exhibits annexed thereto which show her laborious efforts and actual good faith in trying to get action on her claim to citizenship before the Cherokee Chief and Council. All of which is respectfully submitted.

Porter & Barr

Attorneys for Applicants.

End

Sydney Quarterback



E. O. CASSIDY.

E. O. CASSIDY.

CASSIDY & CASSIDY,
ATTORNEYS-AT-LAW.

NOTARY PUBLIC OFFICE.
OFFICE IN MILLS' BLOCK.

Phoenix A. T. Sept 16th 1894

Dear Lowell
Visita L. F.
Glendale

Your favor [redacted] to my letter of Sept 22 received, in which you say that you [illegible] that Clatterbuck's Application was filed in time, but not being sure you return the Local Officers the Receiver that the Application was filed in time. It was Mailed by our Commission Sept 6th and a Copy of Application and Affidavit Sent in registered letter to the Jos of Chandler Nation. On same day, and the regular receipt and Affidavit returned Mailed by you, Enclosed find the receipt of S.H. Mayer Governor, showing that the registered letter arrived at Tahlequah Sept 7th, Hope you will be able to prove by your records that our Application is in time as I think the case Merits [redacted]

Yours truly
[redacted] Cassidy & Cassidy

[redacted]

Inclosed find affidavit of Wm Clattenburg returned
Please let us hear from you, and if in time
what further is necessary

C

State of Virginia
Madison County } ss

Before me C. D. Twyman
a Notary public in and for said
County and State, personally
appeared William Clatterbuck
Who being first duly sworn on oath
deposes [redacted]; I am the
father of Sidney Clatterbuck,
now a Resident of the City of Shawnee
Pottawatomie Territory of Oklahoma
That I was born in Madison County
State of Virginia on the 16th day of Sept
1825 and am now Seventy years
of age: That my Mother's name
before she Married my father.
James Clatterbuck was Mary Ross
And that my Mother, the said Mary Ross
was a half Blood Cherokee Indian
That she was born on or about
the year 1804, in Culpeper County
Virginia, at a place about two
Miles from Wayland's old mill.
That her Mother's name was Mary
Riddle, That she was a full blood Indian
and was living with a Cherokee tribe
When she Married Daniel Ross a
Scotchman, That Daniel Ross
and Mary Ross Continued to live
with the Cherokee tribe, that

My Mother's Mother was living as
a Member of the Cherokee tribe at
the time of my mother's birth

William Clatterbuck

Subscribed and sworn before me by the
said [redacted] this 18th
day of September 1896

C. D. Twyman
Notary Public

My Mother's Mother was living as a Member of the Cherokee tribe at the time of my mother's birth

William Clatterbuck

Subscribed and sworn before me by the said [redacted] this 18th day of September 1896

C. D. Twyman
Notary Public

End

Thomas J. Lasley et al

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIONERS.

POOR ORIGINAL -
BEST AVAILABLE COPY

No. 1852

Hen. J. Beaty et al

vs

Cherokee Nation

Brief

Filed Sept 30 1896

FILED SEPT. 1896.

A. S. McKINNON

M. M. Edmiston

-LAWYER, Vinita,

Before the Honorable, The Dawes Commission,

Thos. J. Early, et-al
vs
Cherokee Nation
} No. 185.2
Brief

The evidence shows that Geo. Early, father of Principal petitioner, was a son of Wm. Early. That Geo. and Wm. came to the Cherokee nation I.T. Early in the 30's and were on the rolls in said Cherokee Nation and recognized as Indians George Early, father of principal applicant, lives in Flint District and his right to citizenship was not questioned, And applicant is a resident of the Cherokee Nation and has long resided here Applications are respectfully submitted

W. W. Edmiston
Atty. for Applts.

End

James A. Leather

State of Arkansas) affidavit
County of Carroll)

I James A Leathers
of the Town of Carrollton in
the County of Carroll and State
of Arkansas being duly
sworn according to law
do testify that My name is
James Anderson Leathers
and My Mother's name is Margaret
P Leathers Was a daughter of
Frances Lipps and the Frances
Lipps Was a daughter of
Rachael Norris and the
Rachael Norris Was a daughter
Henry Chambers and he
Henry Chambers Was a
Cherokee Indian to the best
of My Knowledge and belief
So help Me God

James Leathers

Subscribed and Sworn To
before me this the 24th day of
Sept-1888 R. L. Swor

My Com Expires Sept. 25-1891

End

John R. Leathers

State of Arkansas } Affidavit-
County of Carroll }

I John R. Leathers
of the Town of Carrollton in the
County of Carroll and State of
Arkansas: Being duly sworn
According to law deposes and
says That his name is John
Riley Leathers and Mothers
name is Margaret P. Leathers
Who is a daughter of Frances
Lipsey. And she Frances Lipsy was
a daughter of Rachael Norris
and she Rachael Norris was
a Daughter of Henry Chambers and he
Henry Chambers was a
Cherokee Indian To the best of
My Knowledge and belief so
help me God

John R Leathers

Subscribed & Sworn to before
me this the 28th day of Sept-1894

R. T. Swon N.P.

My Com Ex Sept-20-1898

End

William M. McGhee et al

No. 2316

Wm. M. McDee et al

vs

Cherokee Nation

Brief

Filed Sept 30" 1896

A. S. McKENNON

COM'R

M. M. Edmiston

-LAWYER, Vinita,

Before the Honorable, the Dawes Commission.

Wm. W. McDee et-al } No. 2326
vs } Brief:
The Cherokee Nation }

The evidence shows clearly that Henry McDee, the Grand father of the principal applicant, was a Cherokee Indian by blood and a resident of the Cherokee country in Georgia,

Josiah McDee of Georgia, is believed to be the father of Henry McDee, the former appears on the rolls of 1835, with the additional name of "Fine Killer" and the record shows he had two sons, and that he lives on "Pea Vine Creek"

These plaintiffs filed this claim before the Cherokee Council in 1891, which was rejected on the very strange reason that the "Cherokees are the sole arbitrators on the question as to who shall be admitted to citizenship, and in this effort to secure citizenship privileges, the evidence submitted was not obtainable, and we think the foundation properly laid for certain copies of affidavits submitted.

The application is respectfully submitted.

W. W. Edmiston
Atty. for Plffs.

End

A. G. [illegible] et al.

No. 1860

A. S. Martin et al

vs

Cherokee Nation

Brief

FILED
Oct 1 1889
A. S. McKENNON
Clerk

M. M. Edmiston
LAWYER, Vinita.

Before the Honorable, the Dawes Commission

A. J. Martin et-al
vs
Cherokee Nation

No. 1860
Brief

The evidence shows that William Martin was the Great Grand father of applicant, that he was a resident of Hamilton Co. Tenn, residing on Wahoo Creek. The records show that Wm. Martins name is on the rolls of 1835

The applications are respectfully submitted

W. M. Edmiston
Atty. for Applts.

End

Norma Mitchell

"1

Copy.

"This is to certify Nirana Mitchell formerly Nirana Girtman, late from the "Old Cherokee Nation" came with proof before me on Saturday the 31st of October and proved to my satisfaction, that she is of Cherokee blood, and entitled to all rights and and privileges as such.

Given under my hand officially this 1st day of Nov. A.D. 1870"

(Signed) Jno. S. Vann
Chief Justice D.C.

I hereby certify the above, a true copy from the original on file in office of Supreme Court at Tahlequah C.N.
This the 17th day (Signed) W.N. Brown Clk.
of March 1876 Supreme Court
Cherokee Nation

I hereby certify that the above has been Recorded in the Clerks office of Tahlequah District Cherokee Nation, Page 34 (Register of Wills. Given under my hand and seal of Office
Signed Allen Ross Clerk
T.D.C.N.
This 8th day of January 883

Copy

B. M. Mitchell, White and Citizen of United States to Mary Newsom Given issued Nov. 2d 1871. Married by Judge John S. Vann

I hereby certify that the above is a correct copy of the original on file in this office, this 17th day of March A.D 1876.

Signed. D. R. Hicks Clerk
Tahlequah District
C.N.

Seal

Cafe ... Pe
Mulatto Mistress
Yellow ...

Copy -

This is to certify Murana Mitchell (formerly Murana Gevins) Cat- from [redacted] the "Old Cherokee Nation" came with proof before me on yesterday the 31st of October and proved to my satisfaction that she is of Cherokee blood, and entitled to all rights and privileges as such. Given from under my hand officially the 1st day of November A.D. 1873

[redacted] S. Vann
Chief Justice S.C.

I certify the above a true copy from the original presented by Gevins on the 1st day of Nov. 1873, and now in his possession -

W.P. Thurman Clk
Supreme Ct.

I R. P. Hanks Assistant Secretary Secretary do hereby certify that the above is a true and correct copy of a copy of one page of the record in the Executive Department" Entitled Affidavits or Citizenship"

Seal

Given from under my hand and the seal of the Cherokee Nation day and date above written.

R. P. Hanks asst. Sec.
by

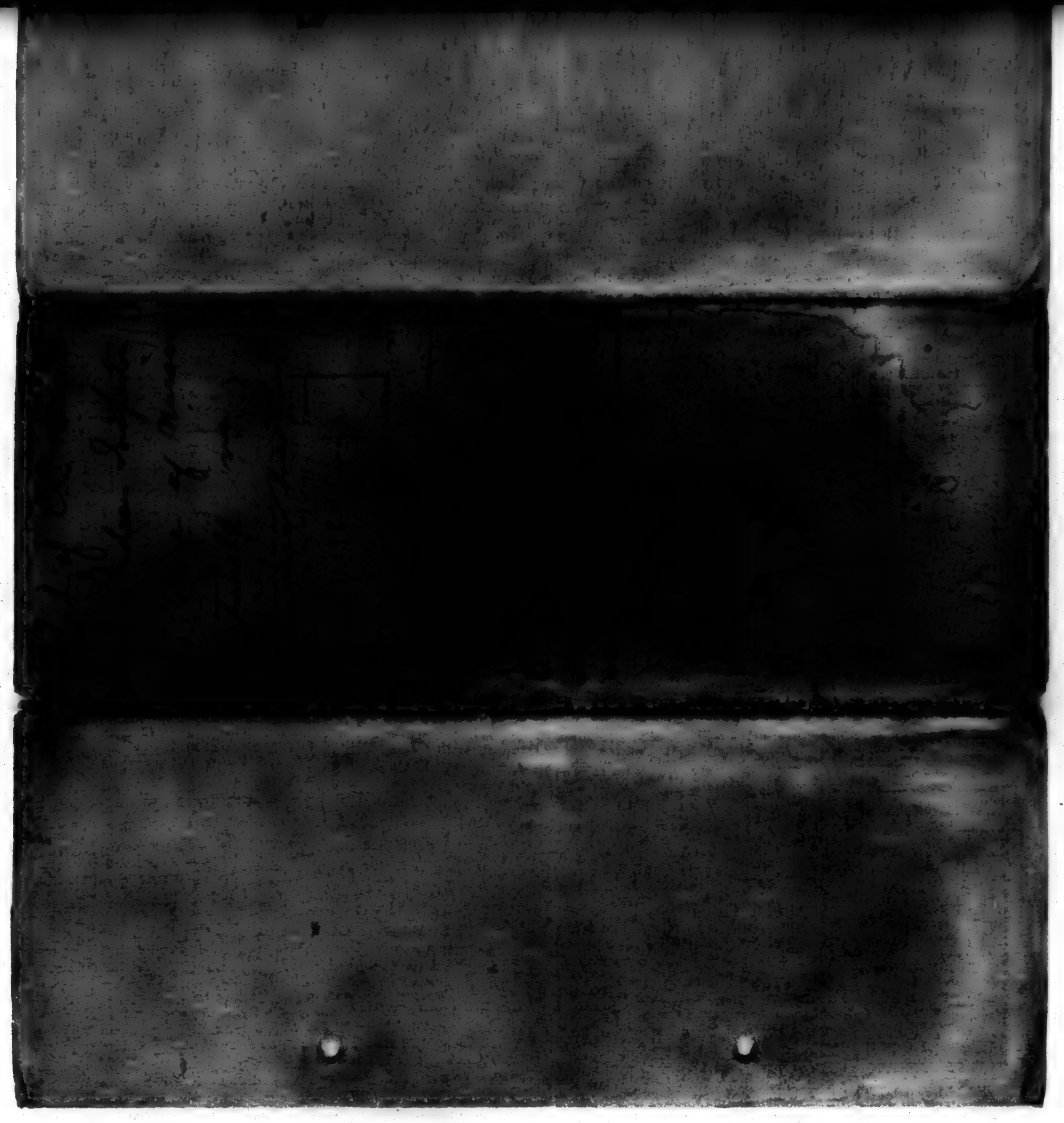
Document - Evidence
Nuremberg Military

31106/94

30477 IMT/GS. No. 28

6381

4



Nurama Mitchell ,

vs.

Cherokee Nation.

Fort Smith, Aug., 7, 1893.

Report of C. C. Duncan, Indian Inspector, in the above stated case.

Sir:--

I submit herewith testimony in this case, and my opinion, for your consideration.

Nurama Mitchell, formerly Guinn, claims to have been admitted to Cherokee Citizenship as a North Carolina Indian, November 1st, 1871, and presents the certificate from Judge Vann to that effect. Also, that on the 2nd, day of Novvmber, 1871 she was married according to the Cherokee Law to D. M. Mitchell, a white man, and presents certificate of this marriage. She was afterwards recognized as a Cherokee, as having been legally admitted, as I hold, that Judge Vann as Chief Justice at that time had the right to enroll and admit to citizenship North Carolina Indians, and having rendered a judgment granting citizenship to Mrs. Mitchell, November 1st, 1871, give to her all the rights of citizenship in the Cherokee Nation, and I do not think the Commissioners Court had the authority under the law to set aside this judgment. Hence I hold that Mrs. Mitchell is a citizen of the Cherokee Nation.

Respectfully submitted,

C C Duncan
U.S. Indian Inspector

Hon. Sec. Interior.

POOR ORIGINAL =
BEST AVAILABLE COPY

Nuruma Mitchell

Vs. July 31, 1893, Fort Smith , Ark.

Cherokee Nation.

Hubbard, Watts, Attorneys for the plaintiff.

Hastings, Solicitor General, Attorney for the Cherokee Nation.

Testimony taken in the above stated case.

Mrs. Nuruma Mitchell, sworn and testified:--

I am now 61 years of age; live partly in Arkansas, and partly in the Cherokee Nation. While in the Nation part of my time at Webbers Falls, and part of my time at Sequoyah. I was a Guin before marriage, married about 1848. Went to the Cherokee Nation in 1870 or 1871, from East Tennessee, Polk Co., in the old Nation. I had lived there from my earliest recollection . My father lived in Meigs Co., in Tennessee; always raised us with the understanding that we had Cherokee blood. I made application to Coll. W. P. Boudinot for admission to Cherokee citizenship on the ground that I was a North Carolina Indian; got papers from the Cherokee Nation, certificate of John D. Vann, Chief Justice, November 1st, 1871. Certificate of W. P. Boudinot, 19th day of March 1876; Certificate of Allen Ross, 8th of January, 1883.

(See certificates in evidence.)

I went to Tahlequah, and my husband went with me. Allen Martin, and Young Buck, who was a full blood went with me. Young Buck Livings on a Creek named Rabbit Trap. Martin went from Going-Creek. The case was heard before Judge Vann, who was sitting alone.

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Witnesses were examined before him. After judgment papers were delivered to my husband, who lost them, and made search for them and could not find them. I went to Tahlequah and got a pipe. After getting papers I a few days I re-married according to the Cherokee law by Judge Vann, certificate of marriage dated Nove 2, 1871. My children are Andrew, who has three children, Isabella, who has two, Juba, Ellen Jane, who has three children, John Alden, Ella, Lena, Jackson, Enoch. After I was admitted I lived in the Illinois district, near Webbers Falls. I lived there not quite a year. I have lived in Sequoyah district a part of the time. I do not think I ever lived in the Canadian district.

CROSS EXAMINATION.

I moved to Arkansas from Tennessee about 1832, and lived in Arkansas until they advertised the Cherokees to come to the Nation. My lawyer represented me in my petition before Judge Vann as a North Carolina Cherokee. Young Duck was an old man, about 60 years old. Martin was a bout 30 or 35. I was never summoned before a court to show cause why my citizenship should not be set aside. Chief Mayes told me my papers were good, and just before the last draw they said I was too late in giving in my census; that I was one day too late. I went to the commissioner, and he refused to recognize me because he said Judge Vann had no authority to admit me. This was Chief Te-hee

W.P. Boudinot, sworn and testified:

This case was tried before the Suprem Court when Chief Justice Vann presided as such. Mrs. Mitchell presented her case, produced witnesses, and obtained a certificate of citizenship. This case was reopened again in 1873, upon the ground of

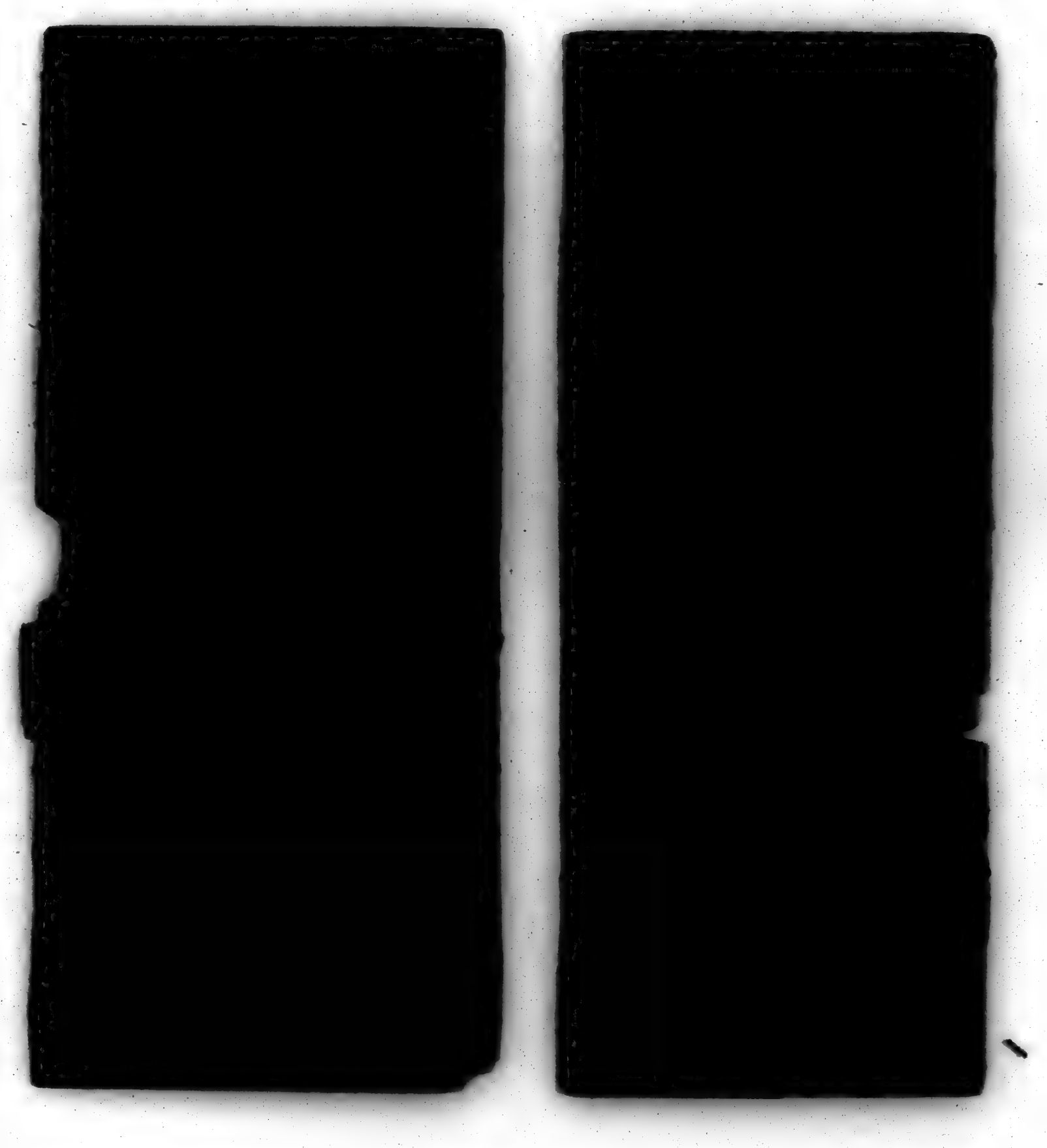
POOR ORIGINAL
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fraud; I have never been able to find the record. They are missing. I was before the court sitting to try doubtful cases. Testimony was taken as usual. Witnesses testified in all the cases. One witness was named Almon Martin, and the testimony was taken under the direction of the court. I searched for the evidence but I could not find it.

CROSS EXAMINATION.

I do not remember who was Chief. I was Nurama Mitchell's lawyer, and for that reason I remember. My impression is that the certificate was signed by John S. Vann as Chief Justice. I think she came over in 1869. My impression is she came from Tennessee. I do not recollect that she had any other witnesses. I think the Nation had an attorney, but I can not now recollect his name. I am 63 years old, am a Cherokee by blood, and have been in the Nation since 18 years old, and am a practicing attorney in courts, and ave attended to a great many citizenship cases.

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DEPARTMENT OF THE INTERIOR,

Indian Office.

No. 30,477, Indian Office, 1893.

Inclosure No. 27,

Nurama Mitchell,)
vs
Cherokee Nation,)

----"O"----

BRIEF FOR THE CHEROKEE NATION.

----O----

I. Demurrer to jurisdiction.

For the form, authorities cited and arguments in this demurrer you are respectfully referred to the briefs in the Cobb, Watts and Flippin cases. It [illegible] the Inspector [illegible]

----O----

This case is similiar in every particular to the Kelley case. Nuta A. Kelley came from Missouri and applied for admission Nov. 10, 1871; Nurama Mitchell cam from Arkansas and applied, so she says, about Nov. 1st, 1871. The Inspector reported adverse to Kelley in our judgment correctly, and in favor of Nurama Mitchell, which must have been occasioned by undue haste.

Plaintiff must [illegible] (1) the full Supreme Court under act of [illegible] the minutes showed that it adjourned as a "Court of Commission" sine die June 21st, 1871., or (2) By the Chief Justice John S. Vann, under act of Nov. 18, 1870, which authorised him to enroll only North Carolina Cherokees.

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Mrs. Mitchell claims that it was under the last act and a pretended certificate of citizenship is introduced.

This could not have been given by Vann as a certificate of citizenship, for, (1) as fully argued in the Brief we [redacted] the act of Nov. 28, 1890, [redacted] Carolina Cherokees and Mrs. [redacted], swore on cross-examination (See Enclosure No. 27.) "I moved from Arkansas to Tennessee in about 1851", and that she lived there until she came to the Cherokee Nation in 1871, and (2) the certificate of the Assistant Executive Secretary attached to the pretended certificate of citizenship shows that it is a "copy of one page of the record in the Executive Department, "Entitled Affidavits on Citizenship"".

This shows as [redacted] not only a certificate of [redacted] used as a basis of a claim before the Council and was recorded in a book "Entitled Affidavits on Citizenship".

The Chief Justice might have taken the testimony and referred it to the Council as under the law he could do but he had no jurisdiction to pass finally on the case.

The presumption that the Chief Justice acted within his authority, the wording of the certificate, the [redacted] recorded in, and the testimony of [redacted] from Arkansas to [redacted] the decision of the Adair Court in the Kelley case [redacted] tiff was not admitted.

For these reasons, after referring you to our brief in the Kelley case, we think the report of Inspector Duncan

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should not be sustained.

Respectfully submitted.

[redacted]
Attorney General for the
[redacted]

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Department of Interior
Indian Affairs.

Rec 30.467 Ind. T. 1893
7002

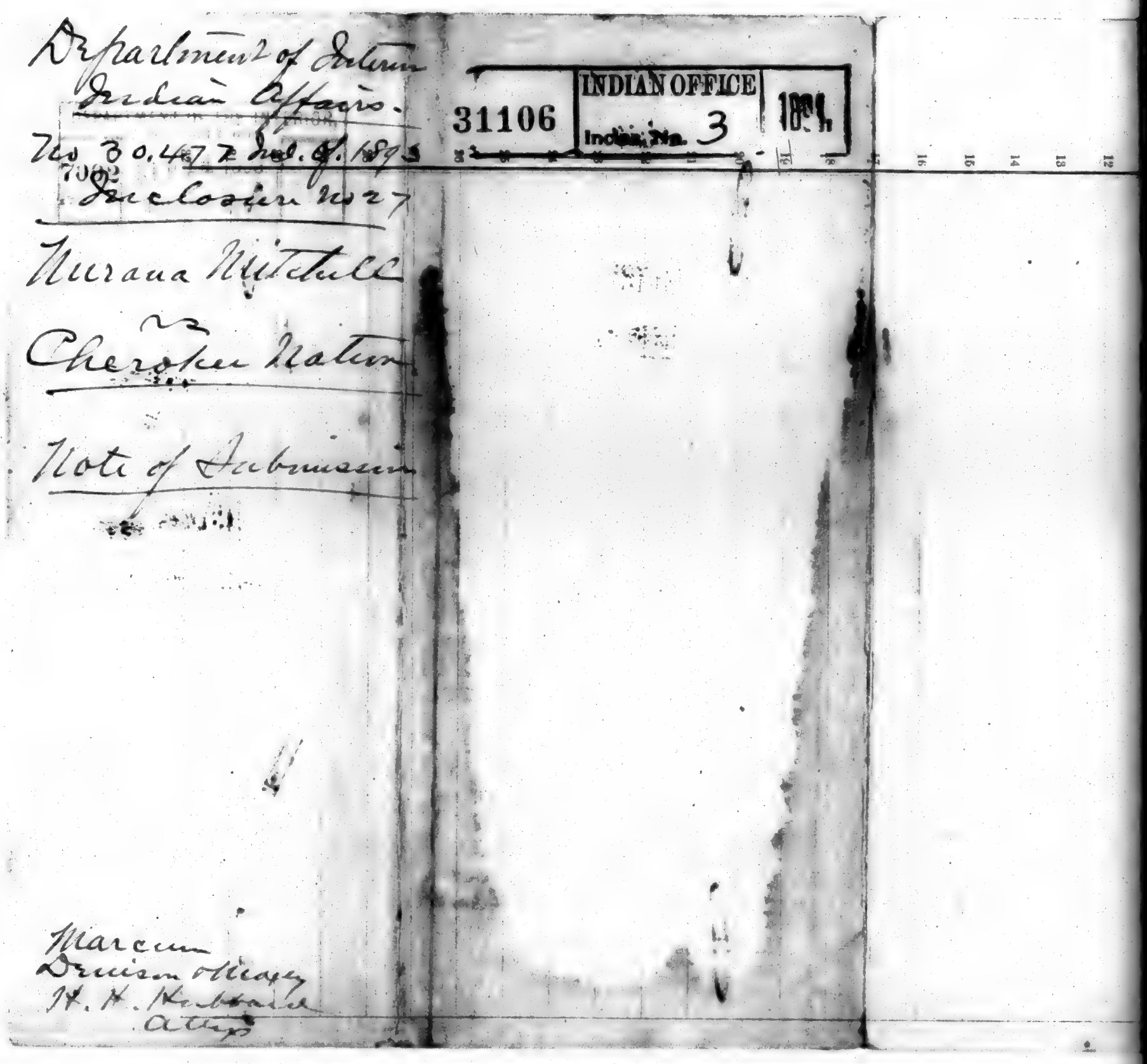
Enclosure No 27

Murana Mitchell

vs

Cherokee Nation

Note of Submission



Marcum
Dennison & Gray
H. H. Kohlsaat
Attys

Department of Interior
Indian Affairs.

No. 30,477 Ind. Ty. 1893
Inclosure No 27.

Murana Mitchell

vs

Cherokee Nation

In this case there seems to be no occasion to say further than that the report of the Inspector is fully sustained by the proof and should be approved and the Claimant decreed all her rights and submit the case, which is respectfully done

Thos Marcum
Wm Thompson
W. F. Hubbard
Attys for Claimant.

POOR ORIGINAL -
BEST AVAILABLE COPY

31106- - 1894

Department of the Interior,

SECRETARY'S OFFICE.

An enclosure
to Dept. lette
of Aug 9/94
to I.O. Ref
to Cherokee
Citizenship.
which was
separated from
other papers in
the Case
Ind. Dep.

End

Zorah H. Mitchell

State of Arkansas } Affidavit
County of Carroll }

I. Zorah H. Mitchell
of the Town of Carrollton in the
County of Carroll, and State of
Arkansas, Being duly sworn
according to law, deposes, and
says that- My name is Zorah
Harrison Mitchell and mothers name is Margaret
P. Leathers was a daughter
of Frances Lipps and she Frances
Lipps was a daughter of
Rachael Norris and she Rachael
Norris was a daughter of
Henry Chambers and he Henry
Chambers was a Cherokee
Indian to the best of my
Knowledge and belief so help
me God. Zorah. H. Mitchell

Subscribed, and sworn to
before me this the 28 day of
Sept-1896 R. T. Swor N. P.
My Com Ex sept-20-1858

End

Isaac Mooney et al

DEPARTMENT OF THE INTERIOR
2474 APR 3 1894
INDIAN DIV.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS.

ISAAC MOONEY ETAL

IN THE MATTER OF
CHEROKEE CITIZENSHIP.

TO THE HONORABLE
THE SEC. OF INTERIOR.

30474 | INDIAN OFFICE | Incloc. No. 1 | 1894

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS.

:-:-:-

family and A.M.Downing and family and the said petitioner received from W.H.Turner,Clerk of the Supreme Court of the Cherokee Nation,a certificate dated February,1st.,1873,a copy of which is hereto attached,marked exhibit 'A',the original being held subject to the inspection or order of the Department.

That upon the receipt of the said certificate,petitioner with his wife and their children,moved into the Cherokee Nation and his wife resided there up to the time of her death,about one year after their arrival in the Nation and himself and all their children have resided in the said Nation ever since their first arrival,and the grandchildren,ever since their birth.

That he asks in behalf of his children and of his grandchildren,that the petition of the said George A.Crane in behalf of himself and family,which was forwarded to the Department of the Interior through the office of Denison and Maxey,of Muskogee, March,14th.,1894,and the exhibits attached thereto,may be taken and considered as a part of this,his petition in behalf of his children and grandchildren and respectfully asks that some suitable and proper order may be made,directing an inquiry into his case and that he may have an opportunity of furnishing the proofs as to the rights of his children and grandchildren to citizenship in the said Cherokee Nation,which rights are now denied them by said Nation.

Petitioner further represents that at the time Inspector Duncan from the Department of the Interior was making an investigation of the cases in the Indian Territory during the year 1893, he received word,but not directly from the Inspector and not

[illegible], that he was making such inquiry and the petitioner's [illegible] and which could be heard before him and immediately upon receiving such word, petitioner started from home to the railroad for the purpose of presenting his claim to the said Inspector but there were papers relating to the claim of the [illegible] family and petitioner's family, in the office of the Indian Agent at the Union Agency and before he could procure these and reach the Inspector, he received information that the said Inspector had closed his investigations and this petitioner offers as his excuse for not having placed the proofs before the said Inspector.

WHEREFORE, he respectfully asks that a hearing may be accorded him in behalf of the said children and grandchildren, by the United States Government in such mode and manner as it shall deem proper, and he will ever pray.

Isaac Mooney Jr

United States of America ( )
Indian Territory ( ) ss.
First Judicial Division ( )

Isaac Mooney of lawful age, being first duly sworn, says that he is the person who signed the above and foregoing petition, that he knows the contents thereof and that the statements therein contained, are true as he verily believes.

Isaac Mooney Jr

Subscribed and sworn to before me, this 31st., day of March, 1904.

Myra Young

Notary Public.

(COPY)

Tsawwassen, B.C.

Feby., 1st., 1878.

Messrs

Isaac Mooney and family and

A.M. Downing and family.

Sirs:-This will certify Jno. Taylor has placed you on the same bases with G.A. Grant and family.

Yours etc.,

W.H. Turner Gib

Supreme Ct.

B.C.

EXHIBIT 'A'.

30474 INDIAN OFFICE 1894
Inclos. No. 2

DEPARTMENT OF THE INTERIOR,

OFFICE OF ASSISTANT ATTORNEY-GENERAL,

WASHINGTON, *July 16, 1894.*

John O. Cobb, *et al.*,
v.
The Cherokee Nation. } Alleged Cherokee Citizenship.

The SECRETARY OF THE INTERIOR.

Sir: The claimants in this case are John O. Cobb, who married one Eudora Moffett; S. H. Payne, who married Martha A. Moffett; and Dr. Moses Bell, who married Sarah Jane Moffett. These men claim right to citizenship by reason of intermarriage with women of Cherokee blood.

The three women named, Eudora, Martha A., and Sarah Jane, were sisters, and claimed to be Cherokees by blood. They were admitted to citizenship by the Supreme Court of the Cherokee Nation in 1870 and 1871. Afterwards it was determined by the Adair Commission that the decree of the Supreme Court was obtained by fraud, and on December 7, 1877, the National Council passed an act declaring these parties and their families to be intruders, and directing their removal.

The parties entered what may be styled appeals to the Department from this action of the Cherokee authorities.

These several appeals have been submitted to me for examination and report as to the correctness of the findings of the Cherokee authorities whereby these appellants were declared to be intruders in the Cherokee Nation.

Counsel for the Cherokee Nation insist that the Department of the Interior has no jurisdiction of this matter, and in support of that contention have filed an elaborate argument. They cite, first, the decision of the United States Supreme Court in volume 117, U. S., page 288, known as the "Cherokee Trust Funds Case," in which the Supreme Court held that the Cherokee Nation had the exclusive right of determining the question of citizenship within the Cherokee Nation. Counsel also cite the first article of agreement made between the United States and the Cherokee Nation, dated December 19, 1891, and approved by Congress March 3, 1893, the first paragraph of which is as follows:

"First. That all persons now resident, or who may hereafter become residents, in the Cherokee Nation, and who are not recognized as citizens of the Cherokee Nation by the constituted authorities thereof, and who are not in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation, in conformity with the

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laws thereof, or in the employment of the United States Government, and all citizens of the United States who are not resident in the Cherokee Nation under the provisions of treaty or act of Congress, shall be deemed and held to be intruders and unauthorized persons within the intent and meaning of section six of the treaty of 1835, and sections twenty-six and twenty-seven of the treaty of July 19, 1866, and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States, as trespassers, upon the demand of the principal chief of the Cherokee Nation."

Prior to the approval of this agreement by Congress, the Department had held uniformly that it had the power to look into the question of alleged citizenship in the Cherokee Nation, in order to determine whether persons alleged to be intruders by the Cherokee Nation should or should not be forcibly ejected therefrom by the United States authorities. The Department acted upon the opinion given by Mr. Attorney-General Devens (16 Op. 404). That opinion was based upon the treaties of 1835 and 1866 between the United States and the Cherokee Nation Those treaties obligated the United States Government to protect the Indians in the Cherokee Nation against intruders and to remove them therefrom.

While the Department recogn[illegible] the right of the Cherokee Nation under these treaties to determi[illegible] who were and who were not citizens of that nation, yet, acting upon [illegible] opinion of Attorney-General Devens, the Department claimed the [illegible]ght to be satisfied that a person found to be an intruder by the au[illegible]rities of the Cherokee Nation was in fact an intruder, before he would be forcibly ejected. This ruling was adopted and followed by the Department, because neither the treaty of 1835 nor that of 1866 provided that the United States Government should accept as final a decision by the authorities of the Cherokee Nation on the question of citizenship, and act thereon on the demand of the constituted authorities of said nation. It will be seen, however, that the agreement of 1891, approved March 3, 1893, does provide that no one shall be a citizen of the Cherokee Nation unless he is recognized as such by the constituted authorities thereof, and that all persons not so recognized shall be deemed and held as intruders and shall, together with their personal effects, be removed without delay from the limits of said nation by the United States as trespassers upon the demand of the principal chief of the Cherokee Nation. Thus it will be seen, by the terms of this agreement, the Cherokee Nation is to be the sole judge of the right of any person to citizenship within that nation, and that when a person is declared not to be a citizen, but an intruder, he shall be ejected therefrom by the United States authorities on demand of the principal chief of the Cherokee Nation.

Where it is claimed by one who is declared by the Cherokee Nation to be an intruder, that he falls within some one of the exceptions contained in the first paragraph of article two above quoted, then it would be the duty of the Department to inquire and determine whether or not such person comes within the exceptions found in said paragraph

The exceptions are as follows: "Persons in the employment of the Cherokee Nation, or in the employment of citizens of the Cherokee Nation in conformity with the laws thereof, or in the employment of the United States Government, or citizens of the United States who are resident in the Cherokee Nation under provisions of treaty or acts of Congress." Where the claim of a person is simply that he is a citizen of the Cherokee Nation, and that question has been decided against him by the constituted authorities of said nation, then the Department has no right, in my opinion, to inquire into the correctness of the decision of that question, because the constituted authorities of the Cherokee Nation are to be the sole judges of such question, and the plain and simple duty of the United States Government is to remove such person as an intruder on demand of the principal chief of the Cherokee Nation.

No one of the appellants in the cases now before me claims to come within either of the exceptions set forth in the first paragraph of article two, but all claim to be "citizens of [illegible]e Cherokee Nation." "The constituted authorities" of the Cher[illegible] Nation do not recognize their claim, and I advise that the Depa[illegible]t has no jurisdiction to inquire into the correctness or propriety [illegible] determination made in these cases by the authorities of the Ch[illegible] Nation.

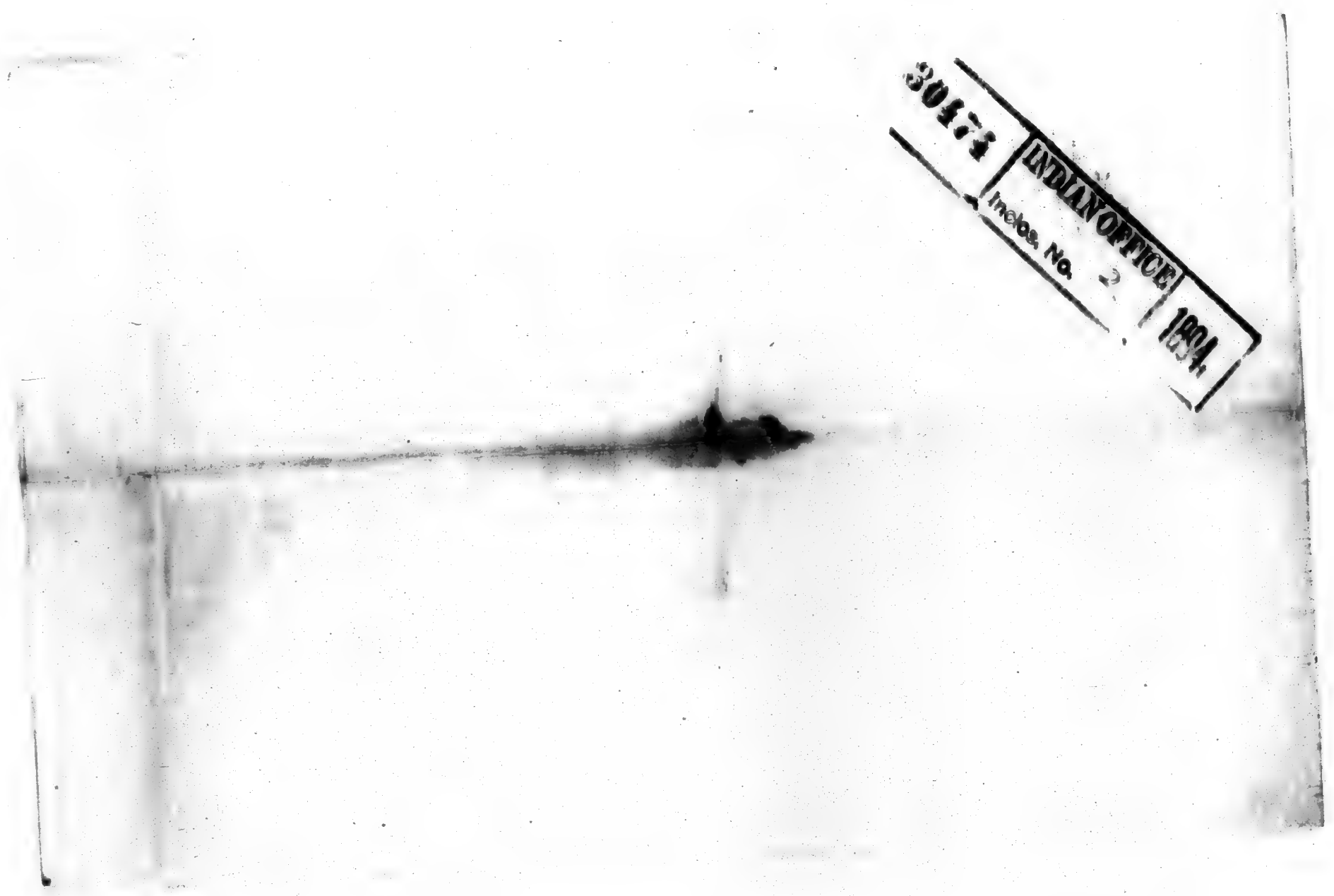
The papers submitted to me are [illegible]with returned.

Very respectfully,

JOHN I. HALL,
Assistant Attorney-General.

Approved:
HOKE SMITH,
Secretary.

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30474 INDIAN OFFICE 1894 Index No. 2

Denison & Maxey,

Attorneys at Law.

C. S. DENISON.
W. S. MAXEY.

(COPY)

Muscogee, Ind. Ter., March,14th.,1894.

Hon.Hoke Smith,

Secretary of Interior,

Washington,D.C.

Dear Sir:-Permit us to hand you herewith the petition of George A.Crane et al,upon the subject of his rights as a citizen of the Cherokee Nation.

We deem this claim to fall within the class examined by Inspector Duncan last season and to be substantially the same nature as the claims of M.M.Caulk and family and Samuel Bellerbite and family,whose petitions our Mr.Denison filed in the office of Indian Affairs last November.

We are very respectfully,

(Signed) Denison & Maxey.

(Dict.C.S.D.)

End

Catherine Moore et al

No. 1845

Catharine Moore et al

vs

Cherokee Nation

Brief

FILED OCT. 1907

A. S. McKENNON

M. M. Edmiston

LAWYER Vinita,

Before the Honorable, the Dawes Commission

Catharine Moore et-al
vs
Cherokee Nation
} No. 1845 Brief

The evidence shows that principal applicants Great Grandfathers name, Thos. Barnes, was a Cherokee by blood as was the Great mother Eliza Epperson, nee Barnes. Thos. Barnes' name appears on the rolls of 1835; that he lived on Hiwassee river in Tenn; that he had one son and 2 daughters, and one of the daughters was the Great mother, of petitioners, having married Epperson.

The applications are respectfully submitted

W. M. Edmiston
Atty. for Pffs.

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End

Elisa Passmore et al.

No. 1858

Eliza Parsmore et al
vs
Cherokee Nation

Brief

FILED Oct 1 1870
A. S. McKENNON
CLERK

M. M. Edmiston
-LAWYER, Vinita

Before The Honorable, The Dawes Commission

Eliza Passmore et-al
vs
Cherokee Nation
} No. 1858

The evidence fully establishes that the Ancestor, Geo. Canby was Indian by blood,

The case is respectfully submitted

W M Edmiston
Atty. for Plff.

End

REGISTRY RECEIPT.

Post Office at .....

Registered ~~Letter~~ Parcel No. 752 Rec'd 9/28 1896

of M. M. Edmiston

addressed to Hon Jos Mayes
Tahlequah I. T.

D. M. Bruner P. M.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss.

I, R. L. RUDISILL, do solemnly swear that on the 28th day of September, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. 753, hereto attached, is a receipt for said package, which contained true copies of the application of Motion to consolidate case of W. H. Price et al with application of H. D. & Claiborne Price et al, and motion and of the affidavit of

~~in support of same.~~ That affiant has no interest in this

R. L. Rudisill

Subscribed and sworn to before me this, the 28

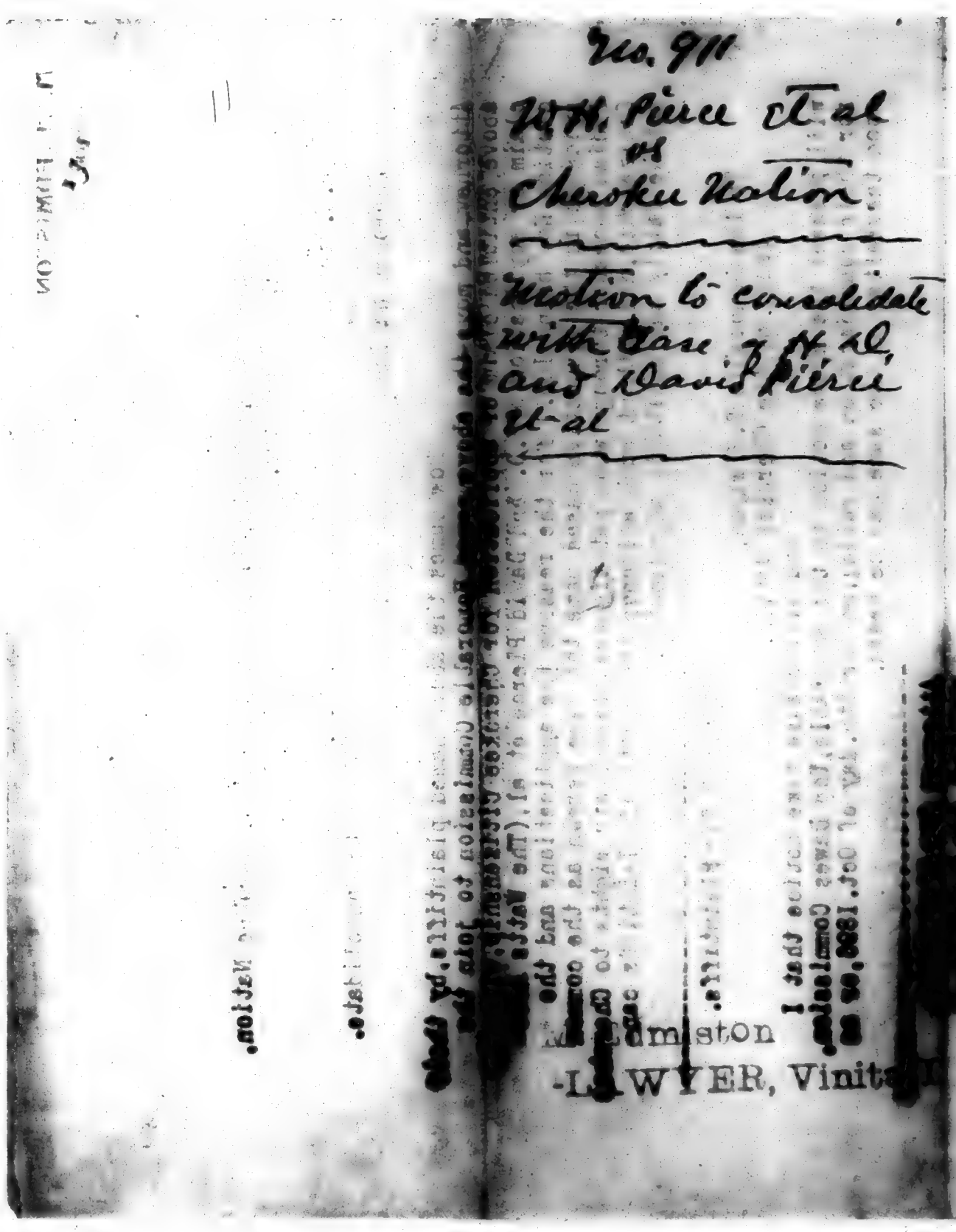
N. J. Wingfield

Notary Public

No. 911

W. H. Pierce et al
vs
Cherokee Nation

Motion to consolidate with Case # 42, and David Pierce et al



M. M. EDMISTON,
Attorney-at-Law.

Vinita, I. T., 189

Before the Honorable, The Dawes Commission, Cherokee Nation, Indian Territory.

W.H.Pierce et al : No. 911.
vs : Motion to Consolidate.
Cherokee Nation :

Now comes the above named plaintiffs, by their Attorney, and move the above named Honorable Commission to join the above entitled claim or application for Cherokee Citizenship, with the claim or application of H.D. and David Pierce et al, (The Watts Association No. being 106.) for the reasons the applications and the evidence in the respective cases name the same persón as the common Indian ancestor through whom petitioners claim their rights to Cherokee Citizenship, and without such evidence the rights of plaintiffs cannot be fairly and equitably adjudicated. M M Edmiston

Attorney for Plaintiffs.

To the Honorable S.H.Mayes,
Chief of the Cherokee Nation.

You will please take notice that I will present the above motion to the Honorable, The Dawes Commission, for their consideration and ruling, on the 5th. day of Oct. 1896, or as soon thereafter as the same can be heard. M M Edmiston

Attorney for Plaintiffs

POOR ORIGINAL -
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No 911

W H Pierce et-al
vs
Cherokee Nation

Brief

Filed Sept. 30. 1896.
A. S. McKENNON
Com'r

M. M. Edmiston
-LAWYER, Vinita,

Before the Honorable, the Dawes Commission

W.H. Pierce et-al
vs
The Cherokee Nation
} No. 911
Brief

Wm. Pierce, Grandfather of principal petitioner was a recognized Cherokee Indian by the Cherokee nation of Indians in Eastern, and his name should and probably does appear on the rolls of 1835.

The applications are respectfully submitted

W. M. Edmiston
Atty. for Petitioner

End

John Reed



Application for Cherokee Citizenship.

To the .....

The undersigned respectfully petition and memorialize your honorable body for admission to the rights and privileges of citizenship in the Cherokee Nation, under the treaties and laws of said Nation, and the United States. Your petitioner states that his immediate family consists of the following named persons, for whom he asks the privilege of citizenship with petitioner, to-wit:

Name of my wife Elvira Reed; age .....

Names.	Ages.	Names of Children.	Ages.
Clifton Reed	11		
Alvin "	6		
Byron "	4		

As grounds for asking admission to citizenship in the Cherokee Nation, Indian Territory, your petitioner states: See my application No. 1517 Already filed

STATE OF Arkansas
COUNTY OF Washington

John A. Reed

On this 8 day of September 1896, personally appeared before me, the undersigned, a Notary Public, within and for the County and State aforesaid, John A Reed who, after being duly sworn by me, says: That the statements set forth in the foregoing petition and memorial for Cherokee citizenship, are true as he verily believe.

Subscribed and sworn to before me the day and date last above written.

W. S. Leard
NOTARY PUBLIC.

My Commission expires 1st Feby 1896

End

Lamar J Richardson

REGISTRY RECEIPT.

Post Office at VINITA, IND. TER.

Registered Letter Parcel } No. 760 Rec'd 10/2 1896

of M M Edmiston

addressed to Hon J A Mayes
Tahlequah I. T.

D M Troyer P. M.

SERVICE AFFIDAVIT.

INDIAN TERRITORY, Cherokee Nation. } ss:

I, R. L. RUDISILL, do solemnly swear that on the 2nd day of October, 1896, I saw a package registered at the Postoffice at Vinita, I. T., addressed to S. H. MAYES, Governor or Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt, No. _____, hereto attached, is a receipt for said package, which contained ~~true copies of the application of~~ copy of Motion to join application of Hannah J. Richardson with theirs to Es W Fairman et-al, for citizenship ~~of the Cherokee Nation~~ and copy of notice of filing of said Motion

in support of same. That affiant has no interest in this matter.

R. L. Rudisill.

Subscribed and sworn to before me this, the OCT 2 day of ~~September~~ 1896.

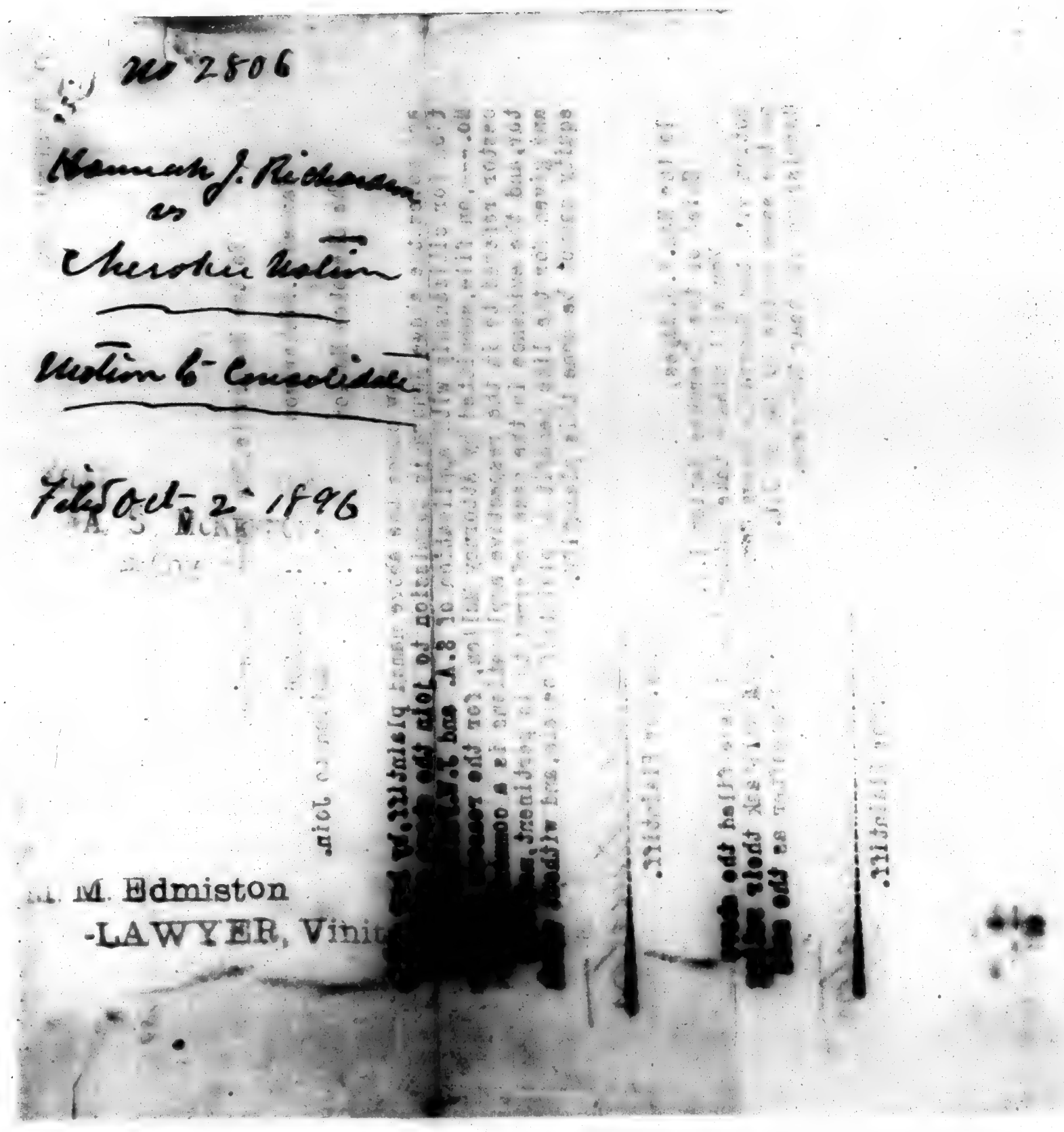
W. S. Stanfield

No 2806

Hannah J. Richardson
vs
Cherokee Nation

Motion to Consolidate

Filed Oct 2nd 1896



M. M. EDMISTON,
Claremore, I.T.

Vinita, I. T., 189

To the Honorable, The Dawes Commission.

Hannah J. Richardson : No. 2806.
vs :
The Cherokee Nation : Motion to Join.

Now comes the above named plaintiff, by her [illegible] and moves the above Honorable Commission to join the above [illegible] tion for citizenship with application of S.A. and J.W. Pal[illegible] No.——, on file, submitted by Attorney Mullen, for the reasons [illegible] center refered to in the respective applications is a common [illegible] ter, and the evidence in the case referred to is pertinent, mate[illegible] and given for the like benefit of plaintiff herein, and without [illegible] equity cannot be done this plaintiff.

M M Edmiston
Atty. for Plaintiff.

To the Hon. S. H. Mayes,
Chief of the Cherokee Nation I.T.

You will please take notice that I have filed the above motion with the Honorable Dawes Commission, and will ask their ruling on the same on the 10 day of Oct., or as soon thereafter as the said Commission can hear the same.

M M Edmiston
Atty. for Plaintiff.

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End

William W. Russell



POOR ORIGINAL -
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William W. Russel,

Vs. Fort Smith , Ark., Aug. 1st, 1893.

Cherokee Nation.

Report of C. C. Duncan , U. S. Indian Inspector, in the above stated case.

Sir:--

This case is now pending before the Department, and I have taken testimony and forward the same to be filed with the papers now in the Department.

Testimony of William Russel:--

I am the father of the following children [illegible] Callie, Angeline, Sarah, Henry, Jasper, Ardilla, Robert, Eliza, Minnie, Andy, Esther, Nora, Alfred, Joesph T. and Texaphine. I came to the Cherokee Nation 1834. Brought out by the Government in the boat. Got on the snad bar, and we were then hauled in wagons and carts. My father was William Woddy, sometimes called William, and sometimes dalled Woody. Curry was United States Agent who had charge of the party, which consisted of 700, all enrolled and said to be Cherokees. My father was enrolled, and was enrolled in the old Nation as a Cherokee. I am now 71; was about 11 years old then. Settled about 20 miles from Fort Smith. My father drew money and horse, but I do n't know the value. Had stock of my own. Good farm stock. We drew money. At the time of the War I went South with my father. He was originally a North Carolina Cherokee, and he settled in Hayward County, and was recognized as a Cherokee. He left there 30 years ago, and came

to Mc Minn Co., Tenn., and died. I returned to the Cherokee Nation 7 years ago. I located at Webbers Falls, Canadian District Made application to the Adair court, and was rejected. I was ordered out by the Sheriff of the Canadian district.

Perry G. Russel, sworn and testified:-

I have been in the Cherokee Nation 11 or 12 years. When I came I made application in 1883 before the National Council at Tahlequah. I don't know what was done with the application. I was publishing the Cherokee Advocate as having been admitted and was afterwards told that I was not, and I went before Spiers court, and that court rejected me. I present a certified copy from the Secretary of the Interior showing that my grand father's name was on the roll. The court also got a roll, and William Woody Russel was on that roll. William Woody Russel.s name was on the Articles of Agreement of Date 1834. This roll furnished by the Interior Department. And I turned over these papers to the Interior Department. I have improvements in the Cherokee Nation, and some cattle. Bought my farm from Billy Adair, who claims to be a citizen. Bought it last Spring. Left the Cherokee Nation six years ago, because I was ordered out, and I sold my place at a sacrafice.

CROSS EXAMINATION.

I bought last Spring because I thought the United States Government was going to take us up. I am a member of the Cherokee Citizens' Association. I had Mrs. Mayford, Mrs Mayford, and Dr. Gort, who lived on my farm in Texas, as witnesses in my case before the Interior Department.

(William Russel's name was found on the rolls showing that

he signed the treaty articles in 1834.

Respectfully submitted,

Hon. Sec. Interior.

C C Duncan
U S, Indian Inspr

Department of the Interior.

Indian Office.

No. 30,477 Ind. of 1893.

Inclosure No. 19.

William W. Russell et. al.

vs.

Cherokee Nation.

Brief of Claimants.

In this case we desire to submit the case upon the testimony taken by the Inspector and the evidence existing in the archives of the Government.

If as is claimed William W. Russell with his parents was brought from the old nation by the Government, in the absence of any proof that these claimants have forfeited their rights, they should be admitted and enrolled as [redacted] Citizens and permitted to enjoy their rights and privileges as such.

Respectfully submitted,

Thos. Marcum,

Denison & Maxey,

H.H.Hubbard,

Attorneys for Claimants.

Department of the
Interior,
Indian Affairs.

30804 | INDIAN OFFICE | 1894.
Indian No. 4

No. 30,477, Ind.Of. 1893.
Inclosure. No. 19.

William H. Russell et.al.
vs.
Cherokee Nation.

Brief Statements.

Thos. Brown
Holden & Shuey
1.1.Hubbard,
Attorneys.

DEPARTMENT OF THE INTERIOR,

Indian Office.

No. 30,477, 1893.

Inclosure No. 19.

William W. Russell, et al.)
)
vs.)
)
Cherokee Nation)
)

----"O"----

BRIEF OF THE CHEROKEE NATION.

-----O-----

I. Demurrer to jurisdiction.

This was considered filed [redacted]

ties and arguments thereon you are respectfully [redacted]

briefs in the Cobb, Watts and Flippen cases.

-----O-----

Inspector Duncan refused to investigate this case as it did not come within his instructions, but referred the evidence taken to the Department.

William W. Russell, himself, states that he applied to the "Adair Court", and [redacted]

Perry S. Russell states that he applied to [redacted] in 1883, and was advertised as admitted, but failed to appear [redacted] advertisement although the files of the Cherokee Advocate are kept in the Executive Office, and says that he was afterwards informed that this was a mistake, that he then applied to the "Spears Court" which reinstated him.

POOR ORIGINAL -
BEST AVAILABLE COPY

Claimants contend that the William Rennell whose name appears on the roll as having signed the treaty of 1834, was their grandfather, See Exhibit No. 19.

Their own testimony showing that they had not been admitted, and Inspector Bannon refusing to take jurisdiction, the Cherokee Nation thought it unnecessary to burden the record with more proof.

They admit that they were rejected by the Council in 1885, the "Upper Court" in 1886, and the "Adair Court" in 1887.

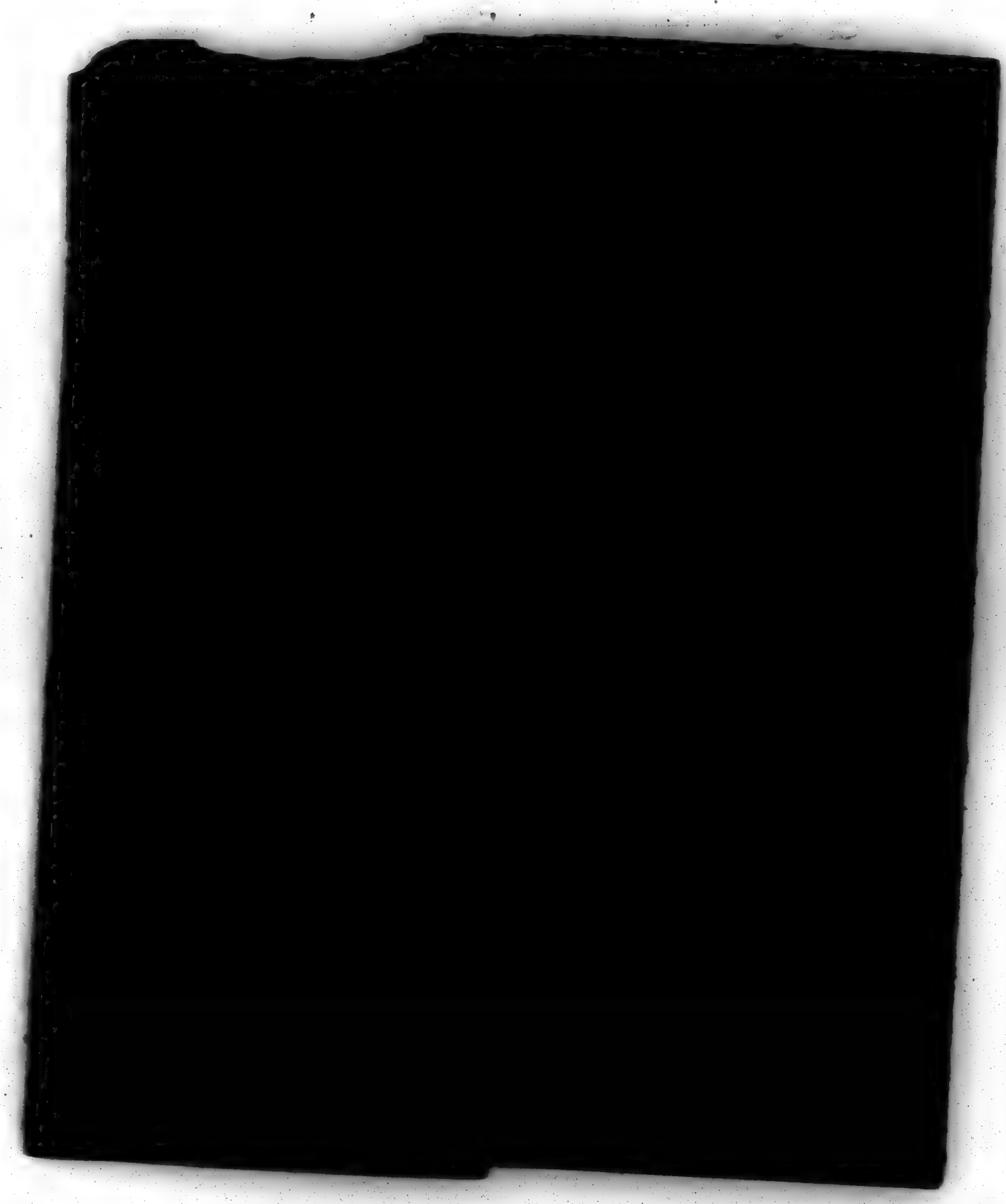
If William Rennell's name appears to the treaty of 1834, as stated, claimants must have failed to show satisfactorily that they were descendants of his.

[redacted]

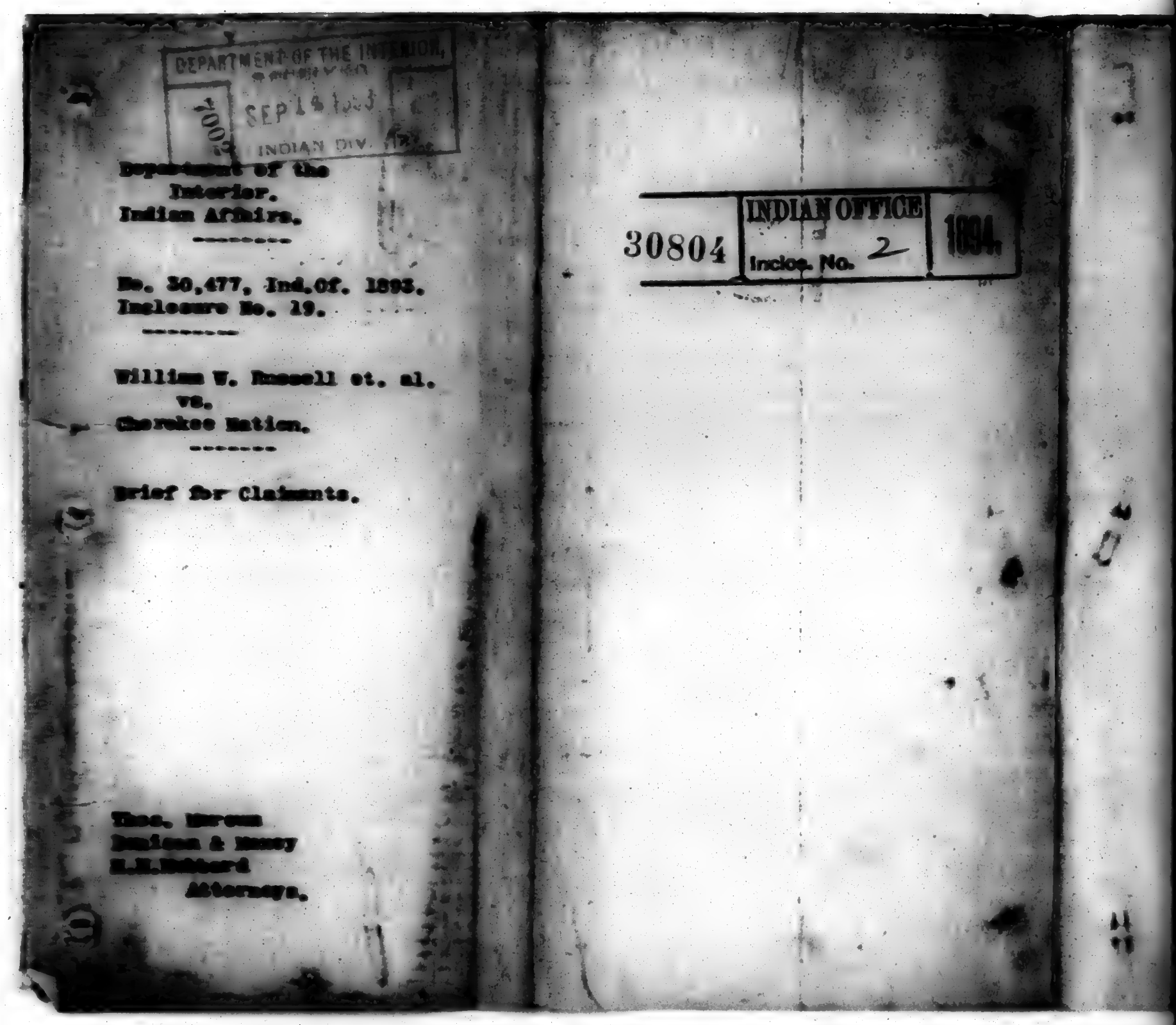
W. W. Hastings

Attorney General for the
Cherokee Nation.

POOR ORIGINAL -
BEST AVAILABLE COPY



POOR ORIGINAL -
BEST AVAILABLE COPY


DEPARTMENT OF THE INTERIOR.
SEP 14 1893
INDIAN DIV.

Department of the
Interior.
Indian Affairs.

No. 30,477, Ind.Of. 1893.
Inclosure No. 19.

William W. Russell et. al.
vs.
Cherokee Nation.

Brief for Claimants.

Thos. Brown
Dulaney & Maury
L.H.Hibbard
Attorneys.

30804 INDIAN OFFICE Inclos. No. 2 1894.

Department of the Interior.

Indian Office.

No. 30,477 Ind. of 1902.

Inclosure No. 19.

William W. Russell et. al.

vs.

Cherokee Nation.

Brief of Claimants.

In this case we desire to submit the case upon the testimony taken by the Inspector and the evidence existing in the archives of the Government.

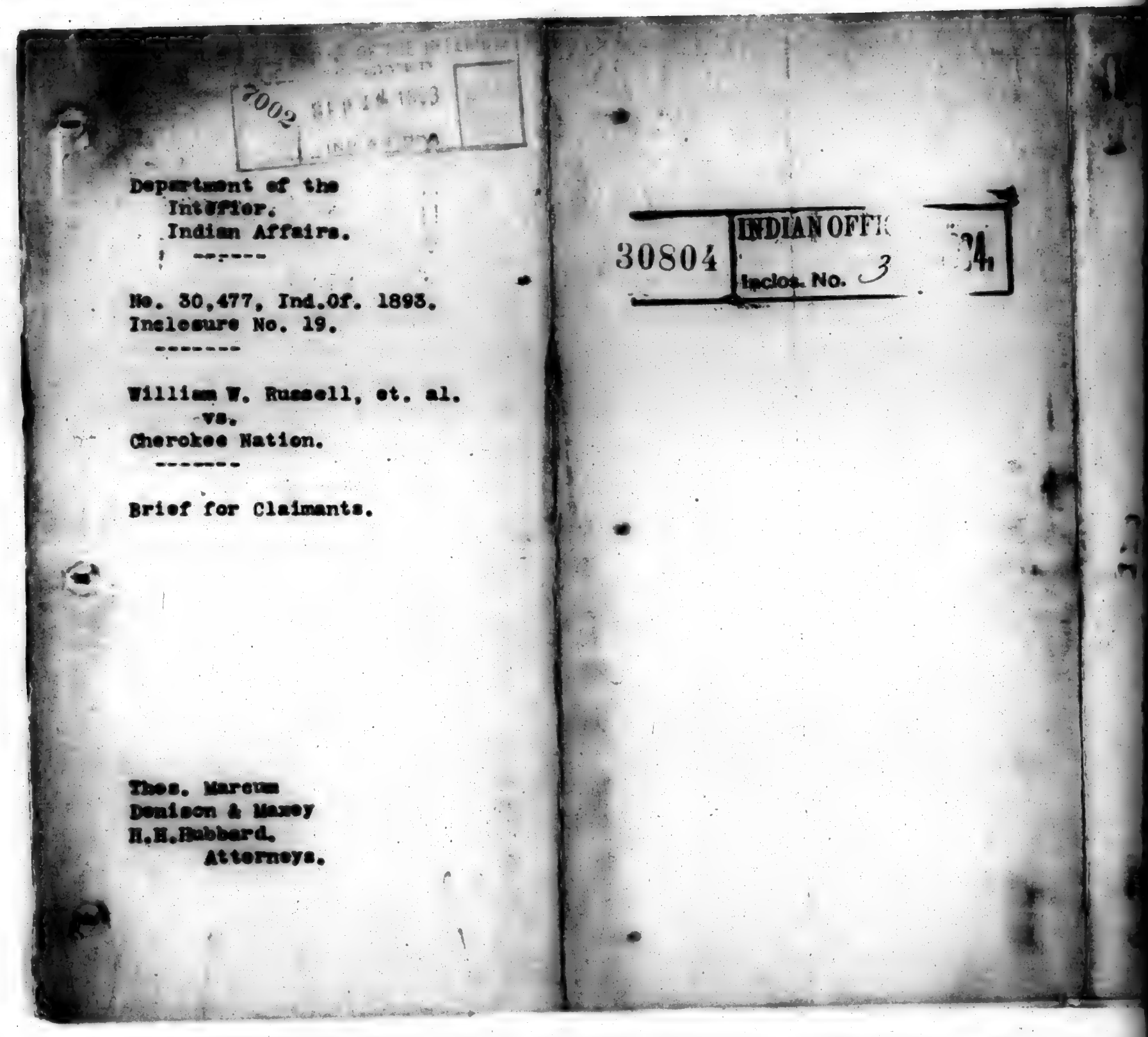
If as is claimed William W. Russell with his parents was brought from the old nation by the Government, in the absence of any proof that these claimants have forfeited their rights, they should be admitted and enrolled as Cherokee Citizens and permitted to enjoy their rights and privileges as such.

[redacted]

Dawson & Muzzy,

W.W.Hubbard,

Attorneys for
Claimants.


7002 SEP 14 1893

Department of the
Interior.
Indian Affairs.

No. 30,477, Ind.Of. 1893.
Inclosure No. 19.

William W. Russell, et. al.
vs.
Cherokee Nation.

Brief for Claimants.

Thos. Marcum
Denison & Maxey
H.H.Hubbard.
Attorneys.

30804 INDIAN OFFI 94
Inclos. No. 3

Department of the Interior.

Indian Office.

No. 20,477 Ind. of 1893.

Enclosure No. 19.

William W. Russell et. al.

vs.

Cherokee Nation.

Brief of Claimants.

In this case we desire to submit the same upon the testimony taken by the Inspector and the evidence existing in the archives of the Government.

If as is claimed William W. Russell with his parents was brought from the old nation by the Government, in the absence of any proof that these claimants have forfeited their rights, they should be admitted and enrolled as Cherokee Citizens and permitted to enjoy their rights and privileges as such.

Respectfully submitted,

[redacted]

Denison & Maxey,

H.M.Hubbard,

Attorneys for
Claimants.

End

Learner Rig... et al

No 910

Beamer Ryan et al
vs
Cherokee Nation

Brief

Filed Sept. 30 1896

FILED SEPT. 1896
A. S. McKENNON,
COM'R

M. M. Edmiston
-LAWYER, Vinita

Before the Honorable, The Dawes Commission

Leanner Ryan et al

vs

The Cherokee Nation

No. 910

Brief

The evidence shows by Hackleworth
to have been a Cherokee Indian, and the
Grand Mother of principal petitioner, and
that she was a recognized Cherokee woman
in Tennessee

The petition is respectfully submitted.

Dan W. Edmondson

Atty. for Petitioners

End

Julia Ann Shipman

State of Ark } Affidavit-
County of Marroll }

We Jonathan Norris and J. H. Norris of Green Forest Ark being duly Sworn according to law deposes and says that their names are Respectfully Jonathan Norris and Jesse Hamilton Norris that they are acquainted with Frances E. Kirkpatrick who is a daughter of Julia A. Shipman who is a daughter of [redacted] Lipps who is a daughter of Rachael Norris who is a daughter of Henry Chambers who was a Cherokee Indian to the best of our Knowledge and belief so help us God

Witness our hands on this the 25th day of Sept-1896

Jonathan Norris
J. H. Norris

Subscribed and Sworn to before me this the 25th day of Sept-1896

R. T. Swor N.P.

My Com Ex Sept-20-1898

State of Arkansas } affidavit
County of Marrol }
We, Jonathan Norris and
J. H. Norris of Green Forest Ark
being duly sworn
according to law deposes and
says That their names are
Respectfully Jonathan Norris
and Jesse Hamilton Norris
That we are acquainted with
James L. Shipman who is
a son of Julia A. Shipman
who is a daughter of Franc
Lipps - who is a daughter of
Rachael Norris who is a
daughter of Henry Chambers
who was a Cherokee Indian
To the best of our knowledge
and belief so help us God
Witness our hands on this
the 25th day of Sept 1886

Jonathan Norris
J H Norris

Subscribed and Sworn to
before me this the 25 day of
Sept 1886 R. T. Swor N.P.
My Com expires Sept 20 1888

State of Arkansas } ss
County of Carroll }

We. Dr. D. F. Ray a Praticing Physician of Green Forest Ark and M. S. Mobley of the Firm of W. R. Sneed & Co's General Merchants of Green Forest Ark Being Sworn according to law State that they have been acquainted with Jonathan Norris and J. H. Norris for the past ten years and their reputations for Honesty Truth and Veracity is good

Witness our hands on this the 25th day of Sept 1896

D. F. Ray M. D.
M. S. Corbey.

State of Ark } ss
County of Carroll }

Personally appeared before me the undersigned a Notary Public Within and for the State and County aforesaid duly Commissioned and acting. Dr D. F. Ray and M. S. Mobley to me well Known and Subscribed and were duly sworn to the foregoing affidavit Witness my hand and seal on this the 25 day of sept 1896 R. T. Swor N. P.

My Com Ex sept 20 — 1898

State of Arkansas } Affidavit-
County of Carroll }
We Jonathan Norris and J. H.
Norris of Green Forest Ark
Being duly Sworn according to
law deposes and Says that
their Names are respectfully
Jonathan Norris and Jesse
Hamilton Norris that they are
Acquainted with John R.
Leathers Who is a son
of Margaret P Leathers
Who is a daughter of Frances
Lipps Who is a daughter of
Rachael Norris Who is a
daughter of Henry Chambers
Who was a Cherokee Indian
to the best of Our Knowledge
and belief So help us God
Witness Our hands on this
the 25 day of Sept 1896

Jonathan Norris
J. H. Norris

Subscribed and Sworn to before me
on this the 25 day of Sept 1896
R. T. Swon N. P.

My Com Ex sept 20 1898

State of Arkansas } affidavit
County of Carroll }

We, Jonathan Norris and J. H. Norris of Green Forest Ark. Being duly sworn According to law deposes and says, that their names are Respectfully Jonathan Norris and Jesse Hamilton Norris That we are acquainted with Zorah H. Mitchell, who is a daughter of Margaret P. Leathers who is a daughter Frances Lisle, who is a daughter of Rachael Norris who is a daughter of Henry Chambers who was a Cherokee Indian to the best of Our knowledge and belief, so help us God

Witness our hands on this The 25 day of Sept-1856

Jonathan Norris
J H Norris

Subscribed and sworn to before Me this the 25th day of Sept-1856

R. F. Swor N. P.

My Com Ex. Sept-20-1858

State of Arkansas } Affidavit-
County of Carroll }

We Jonathan Norris and
J H Norris of Green Forest
Arkansas, Being duly Sworn
according to law Deposes and
say, That their names are
Respectfully Jonathan Norris
and Jesse Hamilton Norris
that we are acquainted with
Medella Gurley who is a
daughter of Harrison Lipps
who is a Son of Frances Lipps
who is a daughter of Rachael
Norris who is a daughter of
Henry Chambers who was
a Cherokee Indian to the
best of our knowledge and
belief so help us God
Witness our hands on this
the 25 day of Sept-1856

Jonathan Norris
J H. Norris

Subscribed and Sworn to before
me this the 25th day of Sept-1856
R. T. Swor N.P.

My Com Ex Sept 20-1858

State of Arkansas } Affidavit-
County of Carroll }

We, Jonathan Norris Rep J.H.
Norris of Green Forest-Ark
Being duly sworn According
to law-deposes and says that
their names are Respectfully
Jonathan Norris Rep Jesse
Hamilton Norris that-they
are Acquainted with Margaret
P. Leathers who is a daughter
of Frances Lipps who is a
daughter of Rachael Norris
who is a daughter of Henry
Chambers who was a
Cherokee Indian to the best
of our knowledge and
belief so help us God

Witness our hands on this
the 25th day of Sept-1896

Jonathan Norris
J H. Norris

Subscribed and Sworn to before
Me this the 25th day of Sept-1896
R.T. Swor. N.P.

My Com Ex Sept-20-1898

State of Arkansas } Affidavit-
County of Carroll }

We Jonathan Norris and J H Norris of Green Forest Ark being duly sworn according to law deposes and says That their names are Jonathan Norris and Jesse Hamilton Norris that they are acquainted with James A Leathers who is a son of Margaret P Leathers who is a daughter of Frances Lifsey who is a daughter of Rachael Norris who is a daughter of Henry Chambers who was a Cherokee Indian to the best of our Knowledge and belief So help us God

Witness our hands on this the 25 day of Sept 1886

Jonathan Norris
J H Norris

Subscribed and Sworn to before me this the 25th. day of Sept- 1886
R. T. Swor. N.A

My Com Ex Sept-20-1886

State of Arkansas } affidavit
County of Carroll }
We Jonathan Norris and
J. H. Norris of Green Forest Ark
Being duly sworn according
to law deposes and says
that their names are respectfully
Jonathan Norris and Jesse
Hamilton Norris. that they
are acquainted with Julia A.
Shipman who is a daughter of
Frances Lipse who is a daughter
of Rachael Norris who is a
Henry Chambers who was
a Cherokee Indian to the
best of our Knowledge and
belief so help us God
witness our hands on this
the 25th day of Sept 1896

Jonathan Norris
J. H. Norris

Subscribed and Sworn to before
me this the 25th, day of Sept 1896
R. T. Swor. N.P.

My Com Ex Sept 20 1898

State of Arkansas } Affidavit
County of Carroll }

We Jonathan Norris and J. H. Norris of Green Forest Arkansas being duly sworn according to law deposes and says that their names are Respectfully Jonathan Norris and Jesse Hamilton Norris That they are acquainted with Julia B. McMurry who is a daughter of Margaret P. Leathers who is a daughter of Frances Lippe who is a daughter of Rachael Norris Who is a daughter of Henry Chambers Who was a Cherokee Indian to the best of Our Knowledge and belief So help us God

Witness our hands on this the 25 day of Sept 1896

Jonathan Norris
J H Norris

Subscribed and Sworn to before me on this the 25 day of Sept 1896

R. T. Swor N.P.

My Com Ex Sept 20-1898

State Of Arkansas) Affidavit
County of Carroll)
We Jonathan Norris And J. H.
Norris Of Green Forest Ark.
Being duly sworn according
to law deposes and says that
their names are Respectfully
Jonathan Norris and Jesse Ham-
-ilton Norris. That they are
Acquainted with Frances M.
Yeagar Who is a daughter
of Margaret P. Leather Who is
a daughter of Frances Lipps
Who is a daughter of Rachael
Norris Who is a daughter of
Henry Chambers Who was a
Chetokee Indian to the best
of Our Knowledge and belief
So help us God
Witness our hands on this
The 25-day of Sept 1896

Jonathan Norris
J. H. Norris

Subscribed and Sworn to before
Me this the 25" day of Sept-1896
R. T. Swor N.P.
My Com expires Sept 25-18[illegible]

State of Arkansas } Affidavit
County of Carroll }

I Julia A. Shipman
of the Town of Carrollton in the
County of Carroll and State of
Arkansas being duly sworn
according to law deposes and
says that her name is Julia
Ann Shipman that her Mothers
name was Frances Lipps and
she Frances Lipps was a
daughter of Rachael Norris
and she Rachael Norris was
a daughter of Henry Chambers
and he Henry Chambers was
a Cherokee Indian to the best
of My Knowledge and belief so
help me god

Julia A. Shipman

Subscribed and Sworn to before
me this the 28th day of Sept-1896

R.T. Swor N.P.

My Comm Ex Sept- 20-1898

State of Arkansas } Affidavit
County of Carroll }

I James L. Shipman
of the Town of Carrollton in
the County of Carroll and State
of Arkansas being duly sworn
according to law deposes and says
that his name is James Lafayette Shipman and
that his mothers name is Julia
A Shipman and the Julia A
Shipman is a daughter of
Frances Lipsc and the Frances Lipsc
was a daughter of Rachael Norris
Norris and the Rachael Norris
was a daughter of Henry Chambers
and the Henry Chambers was a
Cherokee Indian to the best of
My Knowledge and belief so
help me God J. L. Shipman

Subscribed and sworn to before
me this the 28th day of Sept 1856
R. T. Swor N. P.
My Com Ex Sept 20 1858

State of Arkansas } Affidavit
County of Carroll }

I. Frances E. Kirkpatrick
of the Town of Carrollton in
the County of Carroll and State
of Arkansas being duly sworn
according to law deposes and
says My name is Frances Ellen Kirk-
patrick. My Mothers name is
Julia A. Shipman and she
Julia A. Shipman was a
daughter of Frances Lippe
and she Frances Lippe was
a daughter of Rachael Norris
and she Rachael Norris was
a daughter of Henry Chambers
and he Henry Chambers was a
Cherokee Indian to the best of
My knowledge and belief So help
me God

Frances E. Kirkpatrick

Subscribed and Sworn to before
me This the 28th day of Sept 1896

R. T. Swor N. P.

My Com Ex Sept 20 1898

State of Arkansas
County of Boone } Affidavit
I Julia Belle McElroy of
Berlington in the County of Boone
and State of Arkansas being duly
Sworn according to law do testify
that my Name is Julia Belle McElroy
and My Mother Margaret P Leathers
Was a daughter of Frances Liffo
and she Frances Liffo Was a daughter
of Rachel Harris and she Rachel Harris
Was a daughter of Henry Chambers and
He Henry Chambers Was a Choctaw
Indian to the best of My Knowledge
and belief So Help Me God

Julia Belle McElroy

Subscribed and Sworn To before
Me This the 27th day of Sept-1886

R. J. Swor N. P.

My Com Ex Sept-20-1888

State of Arkansas }
County of ~~Carroll~~ Boone } ss

I Francis M. Yeager
of Burlington in the ~~Carroll~~ Boone County
State aforesaid being duly
Sworn according to law do
testify that My name is Francis
M. ~~Smith~~ Yeager and My Mother
Margret P. Sheldon Was a daughter
of Frances Lipps and she Frances Lipps
Was a daughter of Rachel Norris
and she Rachel Norris Was a
daughter of Henry Chamberlain and
He Henry Chamberlain Was a Cherokee
Indian to the best of My Knowledge
and belief So help Me God

Francis M Yeager

Subscribed and Sworn to before
Me This the 23rd day of Sept 1856

R. J. Swor N. P.

My Com Ex Sept-20-1858

State of Arkansas } Affidavit
County of Carroll }

I Margaret P Leathers of the Town of Carrollton in the County of Carroll and State of Arkansas being duly sworn according to law, deposes and says That her name is Margaret Pahilee Leathers. My Mothers name was Frances Lipsee and she Frances Lipsee was a daughter of Rachael Nonnie and she Rachael Nonnie was a daughter Henry Chambers and he Henry Chambers was a Cherokee Indian to the best of my knowledge and belief so help me God—

Margaret P. Leathers

Subscribed and sworn to before me this the 28 day of sept- 1886

R. J. Swor N. P.

My Com Ex sept-20-1888

End

Jesse A. Shoat et al.

260.145-5

Jesse A. Shoat et-al
vs
Cherokee Nation

Brief

FILED [illegible] 1896
A. S. McKENNON
CLERK

M. M. Edmiston
-LAWYER, Vinita.

Before The Honorable, The Dawes Commission

Jesse A. Shoat et al
vs
Cherokee Nation
} No 1855
Brief

The evidence shows the principal applicant is a son of Michael Shoat who was a recognized Cherokee Indian in the Cherokee Nation I.T. and should be on the rolls of old settlers, also he should appear on rolls of Eastern Cherokees.

The applications are respectfully submitted

W. W. Edmiston
Atty. for Applts.

End

J. H. Spears

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

Tahlequah, Indian Territory, Sept 22 1896

Received from Rasmus Thornley copies of

the following documents, to-wit:

Affidavits of George L Powell, one (1)
Sally Coker one (1)

certified to by S. S. Boyles, N.P.

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of J. H. Spears

for Cherokee citizenship.

By _____

PRINCIPAL SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONER AT TAHLEQUAH, I. T.

CASE NO. .....

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY, PROSECUTES CLAIMS TO CITIZENSHIP.

WILLIAM F. RASMUS,

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,

HAVING PERMANENTLY ASSOCIATED WITH HIM

M. O. GHORMLEY,

ATTORNEY,

AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLE'S STORE. ROOMS 9 AND 10 SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T. Feb 4 1896

IN RE

VS.

The Hon Dawes Commission
Vinita Ind Terry.

Gentlemen: The two enclosed affidavits belonging to case of "J H Spears vs Cherokee Nation" were delayed and were not available at the time the other part of the case was mailed to you (Aug 11th/96) Be kind enough to attach these as they belong & oblige

Respectfully Yours
Rasmus & Ghormley

The State of Texas
Navarro County } ss.

In the case of J. H. Spears claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory:

Personally came this day before me D. Y. Grantham J.P. and Ex. Officio Notary Public within and for the County & State aforenamed duly authorized to administer oaths Sallie Coker to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is Sallie Coker my age is 79 years; my postoffice address is Corsicana Navarro County Texas; I am a by occupation; I am a citizen of the State of Texas Navarro County.

And affiant declares in relation to the above-named case as follows, to-wit:

I Know John Spears He was my Grand father and the father of Jacob Spears I Know them in the States of Alabama and Tenn. Jacob Spears family consisted of Nanni, Cindy Jabe[illegible] & George & Dial Spears I Know them to be sons & daughters of Jacob Spears - To the best of my knowledge I know the above named Spears to be of Cherokee Indian Blood - I have heard the elder members of the Spears family discuss their ancestry and they all claimed to be of the Cherokee Indian blood

Witness
Nicie Coker

Sally her X Coker
mark

Sworn and Subscribed to before me this 12 August 14th 1896

D. Y. Grantham J.P. and Ex. Officio Notary Public Navarro County Texas

O.K.

Evidence in
J. H. Spears case

Evidence in
L. H. Spears case
Original Papers

8-11-96

16

The State of Texas
County of Bosque } ss.

In the case of James N. Spears claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me J. W. Gulfin as Notary Public within and for the County aforenamed duly authorized to administer oaths George S. Powell to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and says: My name is George S. Powell my age is 67 years; my postoffice address is Kopperl, Bosque County, Texas; I am a Farmer by occupation; I am a citizen of the United States of America

And affiant declares in relation to the above-named case as follows, to-wit:

I Knew John Spears during his lifetime about the Year 1852 or 1853 in Smith County Texas he was the father of Jacob Spears, whom I have known for sixty years. Jacob Spears family consists of George S. Spears, Nancy Spears (nee Nancy Davis) Malinda Spears (nee Malinda Mosley) William Spears and James N. Spears

Geo. S. Powell

Sworn to and subscribed before me this 17th day of August 1896

J. W. Gulfin, Notary Public
Bosque County Texas

OK

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, Sept 2nd 1896

Received from Rasmus and Thomley copies of the following documents, to-wit:

Application of Florence D. Carnikis

certified to by S. S. Boyles N. P.

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of

for Cherokee citizenship.

EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

By

PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONER AT TAHLEQUAH, I. T.

CASE NO. .....

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY. PROSECUTES CLAIMS TO CITIZENSHIP.

WILLIAM F. RASMUS,

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,

HAVING PERMANENTLY ASSOCIATED WITH ME

M. O. GHORMLEY,

ATTORNEY,

AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLES' STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T. Sept 4 1896

IN RE

VS.

The Hon Dawes Commission
Vinita I. T.

Gentlemen:

The enclosed application of Florence S. Carrick-er pertains and belongs to cause of "Martha Kirk vs The Cherokee Nation" which was mailed to you July 28th 1896.

Please place it said Case and oblige -

Respectfully Yours,

Rasmus & Ghormley

Detroit Kip

Copied

O.K

Mailed to Conn
7-28-96

Application for Cherokee Citizenship.

To the Honorable, the DAWES COMMISSION, Tahlequah, Indian Territory:

The undersigned Florence Hostler, your petitioner, makes this her application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and procedents established and of record, and respectfully submits the following statement of facts for the grounds of her claim, to-wit:

That she is the Daughter of Martha Kirk of one

and the of one

and the of one

who, your petitioner firmly believes, was a Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom she derived Cherokee Indian blood, entitling her to citizenship in the Cherokee Nation, Indian Territory.

That name and the name of said ancestor should be found to appear on the Census Rolls taken and made of Cherokees east of the Mississippi river, in the years, 1835, 1848, 1851, and 1852.

And your petitioner respectfully asks the time this application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is 25 years; that her postoffice address is Leesburg Okla Ter; that family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks
	Florence D Hostler	Female	25	Self	Post office Tish.
	Son Joseph Lee	Male	7	Son	" Florence D Hostler
	Edith Loretta Hamilton	Female	2	Daughter	" " " "

In Witness Whereof, I have hereunto set my hand at Leesburg Okla this, the 27 day of Aug A.D., 1896.

Florence D Hostler

Attest: John Foster
Geo C Barker

Subscribed and sworn to before me at Leesburg Okla this, the 27 day of Aug A.D., 1896.

[SEAL]

O K

Ent Cherokee Ld
Notary Public

My Comm exp Oct 30th 97

End

Manitua A. Spyres et al

No. 908

Maniwa A. Spyres et al

vs

Cherokee Nation

Brief

Filed Sept. 30 1896

A. S. McKENNON

COM'R

M. M. Edmiston

-LAWYER, Vinita.

Before The Honorable, The Dawes Commission

Maniwa A. Spyres et-al
vs
The Cherokee Nation

No 908
Boley

The evidence shows that applicant came to the Cherokee Nation with her father when a child and has since resided here and that her father was recognized by the Cherokee Nation as a Cherokee Indian and enrolled on the rolls up to date of his death. John L. F. Boulin, one of principal applicants, is a son of Enoch Boulin, a brother of Maniwa A. Spyres.

These petitioners filed application before the Cherokee Council, asking to be recognized in 1894, and the Chief of the C.N. was personally asked to give to petitioners the evidence filed, and he refused to do so. We think the foundation properly laid for the use of copy evidence filed with the application

The application is respectfully submitted

M. M. Edmiston
Atty. for Pltffs.

End

Sarah Jane Stephens

Chuster

affidavid
of
James Starbuck

The State of Mississippi
Monroe County

Personaly Appeared before J W Morris Justice of the Peace in and for Monroe county State of miss James Forbes Who Says on Oath to the best of his knowledge he is one fourth 1/4 Indian of the Tribe of the Cherry Lee Tribe and he also Says on oath the following names are his Children to wit. Martha Louisner. Sarah Jane. James Madison. John Samuel Greenberry. George Rufus. Harvey Harrison Monroe. Esner Jenna. Augusta, given under my hand and Seal of office this the 5-11 day of September 1896

J W Morris
Justice of the Peace

Red Oak Ind Terry
Sept 8th 96

To the Hon. Dawes Commission
Vinita Ind Terry

I am with hand you Affidavit of James Forbes of Ratliff Miss to be ~~used~~ filed in evidence in petition of Sarah Jane Stephens of Red Oak Ind Ty

Also list of her ~~fathers~~ (James Forbes) children ~~and~~ grandchildren & great grandchildren is to be filed with petition

Resp'l Yours
Jas R Stephens

Pres Oak Ind Terry
Sept 8th 1896

This day personally came before me James R. Stephens who states upon oath that the following is a correct list of the Children of James Forbes of Pailiff Miss to wit 1 Martha Susana 2 Sarah Jane 3 James Madison 4 John Samuel Greenberry 5 Geo Rufus 6 Harvey Harrison Morgan 7 Emma Tenney Augustus 8 and married as follows 1 Martha Susanna married Married Geo Lee and have four Children namely 1 Minnie Viola age 29 2nd Margret Adu age 25 - 3rd Almus Adell 23 4th Sarah Maud 15 Minnie Viola married Auston Majors & have Children as follows 1 Volie Elbu Tyson 2 Jim Ed 3 Etta Elmina 5th Sister Anna Ems Margret Adell Married Wm Mashburn & have children as follows Geo Tenny Tyson Farris Cause Tom Almus Adell Married Andy Pinkans Wife & have Children Martha Tennah age 3 2 Norah Cora 2 mo

Sarah Jane Married James R Stephens
She bring your petitioner record of her
Children furnished.

James Madison Brown Married Margret
Jane Ratliff she has Children 'Guy Raymond
'Wm Edmond 17 ' Benjamin Franklin 13 'Elmer
Dupree 11 'Lather Ella 9 ' Billie Jane 7 'John
Cleveland 5:

John Samuel Brown Married Ophelia Ratliff she
has Children 'Numan Casey 17 'Jim Colopus 13
'Samuel Ophelia 9 yrs

George Rufus Married Callie Carter and have
Children as follows ' Elmer Walter 16 'Vannel W.S-
'William 3 yrs

Harvey H.M. Married Francis Ida McMillen
and have Children 'Dorthe Gertrude 7 'Sarah Fay 5-
'Audry Clifton 2 'Ruth Claire 5 mo

Emma Tenney Married Adell Roper & have
Children 'Emma Tenney 'Harry Odus 1 yrs
of age

He further States That the manner

of the great Grandchildren mentioned
in this affidavit was furnished him by
H. M. Forbes and he says reason is he
has them to be correct

J R Stephenson.

subscribed and sworn to this
19 day of sept 1874

W W Ash
Notary Public

End

I. E. Stryker et al

No. 1862

J E Stryker et al

vs

Cherokee Nation

Brief

FILED [illegible] 1896

A. S. McKENNON

COM'R

M. M. Edmiston

-LAWYER, Vinita,

Before the Honorable, The Dawes Commission

D E Stryker et-al
vs
Cherokee Nation
} No 1862
Brief

The evidence proves principal applicants to be Grandsons of Charley Moore, a Cherokee Indian and head of a family of which said applicants respective mothers were members,

Charley Moores name appears on the rolls of 1835 as a Da. Indian or citizen, and the records show he lived in [redacted] and on Okmulgee river.

The applications are respectfully submitted

W W Edmiston
Atty. for Plffs.

End

G. W. Sturgeon et al

No. 3729

J. W. Sturgeon et al

vs

Cherokee Nation

Brief

FILED Oct 1896

A. S. McKENNON

COM'R

M. M. Edmiston

-LAWYER, Vinita

Before the Hon. The Dawes Commission

D. W. Stacy et al
vs
Cherokee Nation

} No 3729
Brief

Evidence shows Elizabeth Fox & have been petitioners from Dec'r & full rights & Killer Fox whose name appears on the rolls of 1835. The evidence may not show name of Killer Fox on rolls, but the fact is it does so appear

The applications are respectfully submitted

W. W. Edwards
Atty for Pltfs

End

Eliza Stutsman, Sarah Lee, Mattie J. Winn


Hon. Commission to the Five Civilized Tribes,
Vinita
I. T.
Misc.

Oklahoma City, O.T.
Oct. 7th, 96.

Hon. H. M. Jacoway,
Secretary of Dawes Commission
Vinita, I.T.

Dear Sir:

Enclosed please find motion in cases named therein.

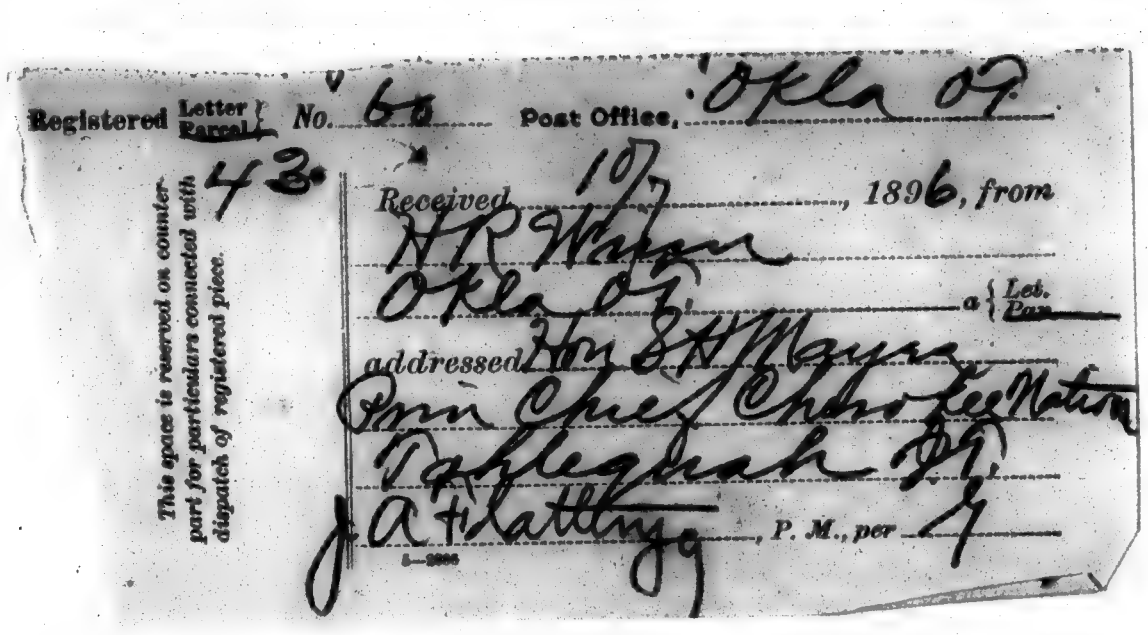
Will you be kind enough and send me numbers of these cases, also, the answer or demurrer filed by Cherokee Nation?

What time will these cases be reached and determined by Com?

I have been informed that some cases have been decided if so, is proof of Cherokee blood the only test for Citizenship or does it require proof of blood and residence?

Yours truly,
[redacted]

113-6th St.


Registered Letter / Parcel No. 64 Post Office, Okla 07.

This space is reserved on counterpart for particulars connected with dispatch of registered piece.

43

Received 10, 1896, from

H R Wilson

Okla 07

a { Let. / Par.

addressed Hon E H Mayes

Exm Chief Cherokee Nation

Tahlequah I.T.

J A Tillatting, P. M., per J

L—2000 07

Before the Hon. Commission to the Five Civilized Tribes, Vinita, Indian Territory.

In the matter of the application of Eliza Stutsman, Sarah Lee and Mattie L. Mann for Citizenship in the Cherokee Nation. } Notice of Motion.

To Hon. S. H. Mayes Principal Chief Cherokee Nation:

You are hereby notified that on the 8th day of October 1896 the above named applicants for Citizenship in the Cherokee Nation will at the office of said Commission in Vinita Indian Territory, file a motion, a true copy of which is hereto attached and insist on the same being granted by the Commission.

[redacted]
Atty for Applicants.

I H. R. Mann after being duly sworn, state on oath that on the 7th day of Oct 1896 I enclosed true copies of the foregoing notice and motion attached, in envelope addressed to the Principal Chief C. N. Tahlequah I.T. and forwarded same to him by registered mail, in United States Mail at Oklahoma City, O.T., the post master's receipt for which is hereto attached.

[redacted]

Subscribed and sworn to before me this 7th day of October 1896.

D. F. MacMartin Notary Public
Com. expires Jan. 1st 99.

In the matter of applications of Eliza Stutsman, Sarah Lee and Walter P. Ross for Citizenship in Cherokee Nation.

Motion to consolidate cases.

Before the Honorable Commission to the Five Civilized Tribes, authorized by act of Congress of June 4, 1896, to hear and determine Claims for Citizenship in the Cherokee Nation, Vinita, Indian Territory.

In the matter of the applications of Eliza Stutesman, Sarah Lee and Mattie L. Winn for Citizenship in the Cherokee Nation for themselves and heirs. } Motion to Consolidate cases.

Come now Eliza Stutesman, Sarah Lee and Mattie L. Winn the above named applicants for Citizenship in the Cherokee Nation by their authorized attorney H. R. Winn and move the Hon. Commission to consolidate, try and determine all said applications as one case and that in the trial thereof, all the proof submitted in each be considered in support of each and all of said applicants claim for Citizenship in the Cherokee Nation, for the reason that the evidence in each is substantially the same.

H. R. Winn
Atty for Applicants.

End.

Nancy Thompson , James Thompson

(1)

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, Sept 7th 1896

Received from Rasmus & Shamblin copies of

the following documents, to-wit:

applications of Sarah Jane Massey
Ruth A Jenkins
Sallie Ann Battle
Ellen Massey

certified to by

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of Nancy A Thompson

for Cherokee citizenship.

EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

By

PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONER AT TAHLEQUAH, I. T.

CASE NO. .....

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY. PROSECUTES CLAIMS TO CITIZENSHIP.

WILLIAM F. RASMUS,

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,

HAVING PERMANENTLY ASSOCIATED WITH ME
M. O. GHORMLEY,
ATTORNEY,
AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLE'S STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T. Sept 6th 1896

IN RE

VS.

The Hon Dawes Commission
Vinita Ind. Ter.

Gentlemen: The four (4) pages of documentary evidence enclosed is part and parcel of the Case of

Nancy A Thompson
James A Thompson
et-al
vs. The Cherokee Nation

which Case has already been forwarded to you—

Respectfully
Rasmus & Ghormley

5

3.

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

YOUR Petitioner, Sarrah Jane Massy Nee Gibbs

would state and show from the proof submitted to the Commission that she is a Cherokee by decent and by blood having been born in Swain County, State of North Carolina on the — day of — 18[illegible] My father's name was William Gibbs. My mother's name was Aveline " Nee. Battle. That I now reside in Swain Town Ty North Carolina and have resided there for 34 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature Sarah Jane Massy

in proof of Which She would State She was Born in Swain County North Carolina in the Old Cherokee Nation her Grand Mother was Sarah Battle Nee. Hyde Decendant of Betsy Leatherwood Nee. Walker as more fully shown by proofs on file and application of Nancy A Thompson my Aunt

Respectfully Submitted

William Massy was.
Husband of Sarah Jane Massy

[redacted]

INDIAN TERRITORY,
NORTHERN DISTRICT. } ss.

NOW on this 6th " day of September, 1896, personally appeared before me, Geo C Jackson, a Notary Public within and for the said Northern District, [redacted] who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6th " day of September 1896.

Geo C Jackson
Notary Public.

NOTARY PUBLIC

Route à Lantern
Application

APPLICATION FOR ENROLLMENT.

TO HON. HENRY L. DAWES, FRANK C. ARMSTRONG, ARCHIBALD S. McKENNON, THOS. B. CABANISS and ALEXANDER B. MONTGOMERY, United States Commissioners authorized by act of Congress of June 10th, 1896, to hear and determine claims for citizenship in the Cherokee Nation.

Gentlemen:—

The undersigned, your petitioner, for and in behalf of ..Ruth A. Jenkins By J. A. Thompson Atty.. and ..his.. children, this day makes application to you for the purpose of being placed on the revised rolls of the Cherokee Indians, and of those allowed to share in the distribution of funds and allotments of lands in the Cherokee Nation, by virtue of their Cherokee blood. And grounds upon which ..her.. claim is based are as follows, to-wit: Would State and Show from the proofs submitted to the Hon Comission that She is a Cherokee by Blood having been Born in Swain County State of North Carolina on the [illegible] Age 48 yrs my Fathers name was Benjamin Hyde my Mothers name was Cintha Hyde. That I now reside in Swain County North Carolina in the old Cherokee Reservation East and have resided there all my life and She avers that these facts can be established by proofs to the Satisfaction of the Comission under Such Rules and regulations as it may be prescribed

And in support of said claim, your petitioner herewith submits the affidavits, depositions and record evidence, namely: John Ross J. Chas Patterson and J. J. Walker for Shaler John M. Baker N. C. Patterson Jas Roby F. H. Bird and J. J. Morgan Com on Reservations Betsy Walker & Record evidence & Others

and respectfully awaits the time and place when my application shall be heard and tried.

Respectfully submitted.

Ruth A. Jenkins By J. A. Thompson Atty
Applicant.

J. M Jenkins Husband of Ruth A Jenkins

NAMES.	AGES.	RELATIONSHIP.
Ruth A Jenkins.	48	Daughter of Ben J Hyde
Amanda J Patterson	26	" " " Ruth A Jenkins
William J Jenkins	23	Son " " " "
Walker Jr. "	21	" " " " "
Mary J. "	19	Daughter " " " "
Carl M "	16	" " " " " "
Laura E. "	14	" " " " " "
Grand Children of Ruth A		and J M Jenkins
Jennie R Patterson	9	son of " " Patterson
Wiley C "	4	" " " " "
Martha A Vitiga	2	" " " " "
Flora A "	9 months	" " " " "

Indian Territory,
Illahawa District.

Personally appeared before me, the undersigned, a Notary Public within and for the ..... aforesaid ..J. A. Thompson.. who after being duly sworn, states that the matters and things set forth in the foregoing petition are true as he verily believes.

J. A. Thompson Atty.

Subscribed and sworn to before me this the 5th day of Sept 1896

Les C Jackson
Notary Public.

My commission expires on the 14th day of Oct 1898

United States of America }
Indian Territory }
Ex parte District

To the Honorable Henry L. Dawes
and others Composing the
Commission to the Five
Civilized Tribes Indian Territory.
The undersigned Sallie Ann
Batte Daughter of M. T. Batte
and Sarah Ann. Batte -
Respectfully represent that she
is a Descendant of Betsey Walk-
and Elizabeth Leatherwood the
daughter of said Betsey Walker.
That the said Betsey Walker was
a full blooded Cherokee Indian
and was acknowledged a
member of the Cherokee Tribe
of Indians. and from whom your
Petitioner derives Cherokee Blood
and through whom is entitled
to Cherokee Citizenship in the
Cherokee Nation. That Elizabeth
Leatherwood's name was Elizabeth
Walker. That the said Elizabeth
(or Betsey Walker) Walker was a
Cherokee by blood, that the
names of the said Ancestors of
Your Petitioner should be found

on Certain Census rolls taken and made of the Cherokee that I am a Single woman of the age of 21 years & was born on 31st day of July A.D. 1875

Wherefore your Petitioner respectfully submits To this Honorable Body my application for admission to Citizenship in the Cherokee Nation Indian Territory, and on the hearing she be adjudged entitled to such she be placed upon the proper roll as a Citizen of such Nation.

Sallie Ann Battle

State of North Carolina
Swain County

Personally appeared before me A Clerk Superior Court - Sallie Ann Battle who being duly sworn says that the foregoing Application is true to the best of her knowledge information and belief

Sallie Ann Battle

Subscribed & Sworn to before me Aug 28th 1896

A Reed
Clerk Superior Court

Ellen Mabery
Application

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

YOUR Petitioner, Ellen Massey Nee. Gibbs.

would state and show from the proof submitted to the Commission that she is a Cherokee by decent and by blood having been born in Swain County, State of North Carolina on the — day of — 1872. My father's name was William Gibbs. My mother's name was Evaline " Nee Battle. That I now reside in Hunt County Texas. and have resided there for 5 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

Signature Ellen Massey Prof. Thompson Atty

in proof. Which she would state she was Born in Swain County Northcarolina in the Old Cherokee Nation her Grand mother was Sarah Battle Nee. Sarah Hyde Decendant of Betsy Leatherwood Nee Walker as more fully shown by reference to the proofs on file + Application of Nancy A. Thompson my aunt Nat. Massey Husband of Ellen. Massey.

Respectfully Submitted

INDIAN TERRITORY, Northern District. } ss.

NOW on this 5 day of September, 1896, personally appeared before me, Geo Jackson a Notary Public within and for the said Northern District, James A Thompson who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6th day of September 1896.

Geo C Jackson
Notary Public.

End

Delilah Tulk



Vabin No 168

~~Detroit Trust~~

vs

Cherokee Nation

Endorse for defense

8

This day personally
appeared before me, James C. Beck
aman, Notary Public of the Western
Judicial District of the Indian Terry
J. A. Scales, who after being duly
sworn states, That he is in his Eighty fifth
year, that he was born in the old
Choctaw Nation, East of the Mississippi
River, and has been a resident of the
present Choctaw Nation, since 1864, and
is by blood a Choctaw: And further
states that he was well acquainted
with Delilah Tuck, wife of John
Tuck, before She moved from the
Indian Territory to Texas. That She
was not then, considered a Choctaw
That John Tuck never exercised
the rights of citizenship in the
Nation by reason of his marriage
with her. That She not recognized
as a Choctaw by the authorities of
the Choctaw Nation, or by citizens
thereof, but was taken and held to
be, like her brothers & sisters of the
rest of Choctaw blood but of
citizens of the U.S. That as an
Affiant knows Annie Jane Tuck

Nor his wife ever made any attempt
to establish their right & obtain it
during their sojourn on and around
the border of the Cherokee Nation, for
a period of eight or ten years, and
that at time Mrs Tulk had
a brother & several Sisters living
in the Nation - besides the many
old people then living, and among
them Judge James Brown, referred
to by her. and who knew her
antecedents.

D. A. Sales

Subscribed and Sworn To
before me this Oct. 1st
1846

J. C. Brakeman

End

Julia Turner

No. 16

In the Matter ofthe Petition of :
Julia Turner, et al.for Enrollment : Argument.
As Members of the Cherokee Nation. :

It will be noticed that a motion was filed with the papers in this case, praying that this matter be consolidated with a petition filed by James D. Brown and family,and that the evidence filed in support of the petition of Brown and family,be considered as the evidence in support of this petition. We trust that the Honorable Commission will allow this.

The evidence shows that this Brown family lived at the Capital of the Cherokee Nation twenty odd years ago,and that this petitioner attended the Cherokee schools as any other Cherokee.

The evidence shows further, that this family has been knocking for admittance into the Cherokee Nation during the past twenty five years.

We neglected to state that the above mentioned James D.Brown is the father of the petitioners in this matter.

Wilkinson & Wilkinson
Attorneys for Petitioners.

South McAlester, I.T.

End

C.C. Vaughn et al

Hinds ville Ark
Sept 5 — 1876

Mess Davis & Akins
Enclosed find affidavit
for Columbus le Vaughan
and sent his affections
to him at Tuskahoma O.T.
to whom his affliction pla-
ces him beyond reach
the affidavit
and obliges
W. W. Tucker

Original

AFFIDAVIT.

STATE OF ARKANSAS, }
COUNTY OF Madison } ss

In the case of C. O Vaughan, claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before the Honorable Dawes Commission, authorized under an act of Congress of the United States of America, personally appeared this day before me C. B Cummings Notary Public

, within and for the County of Madison, State of Arkansas, aforesaid, duly authorized to administer oaths C. Fitch to me personally well-known to be a reputable citizen and entitled to credit, and who being by me duly sworn according to the law, deposes and says: ; my name is C. Fitch my age is 66 yrs, my Post Office address is Whitney Madison Co Arkansas I am a Farmer by occupation; I am a citizen of Whitney Madison Co Arkansas and the affiant declares in relation to the above-named case as follows, to-wit: I am personally and well acquainted with C. O. Vaughan who is a Son of G W Vaughan who is a Son of Sarah Vaughan who was a Son of Fanny Vaughan (nee Benton who was a Granddaughter of John Looney who was a Cherokee Indian by blood C Fitch

Subscribed and sworn to before me this 5 day of [illegible] 1896.

C B Cummings

Notary Public.

My commission expires [illegible] day of [illegible], A. D., 1898

AFFIDAVIT.

STATE OF ARKANSAS,
COUNTY OF [illegible]

In the case of [illegible], claimant for citizenship in the Cherokee Nation, Indian Territory, now [illegible] before the Honorable Dawes Commission, authorized under an act of Congress of the United States, personally appeared this day before me [illegible]

[illegible], [illegible] County, State of Arkansas, [illegible] to me personally well known to be a reputable citizen and [illegible], and who being by me duly sworn according to the law, deposes and says: [illegible]

my age is [illegible] years; my Post Office address is [illegible] Arkansas

I am a [illegible] by occupation; [illegible]

and the affiant [illegible] to the above named Dawes Commission, to-wit: I am personally and well acquainted with [illegible]

who is a [illegible] of [illegible]

who is a [illegible] of [illegible]

who was a [illegible] of [illegible]

who was a [illegible] of [illegible]

Subscribed and sworn to before me this [illegible] day of [illegible] 1900.

[illegible]

Notary Public.

My commission expires [illegible] day of [illegible], A. D., 1900.

End

Nancy J. Warren

State of Arkansas } Personally appeared
County of Johnson } before the undersigned
a duly commissioned
and acting Justice of the Peace
in and for the County and State
aforsaid William Byrd and was
duly qualified to the following facts
That I am Personally acquainted
(and have been since the was a
child) with Nancy Warren wife
of E.J. Warren also her
Father and Mother on
her Father's side and her grand
Mother on her Father's side and
they were always known to have
had Cherokee Indian blood in
them. All of said ancestors
originally emigrated from
North Carolina to Tennessee
I was also Personally acquainted
with Wright Pierce and Nancy
Pierce the Father and Mother
of Nancy Warren wife of the
said E.J. Warren. Said Wright
Pierce and Nancy Pierce were
always known to have had
Cherokee Indian blood in
them I am the Personally

POOR ORIGINAL -
BEST AVAILABLE COPY

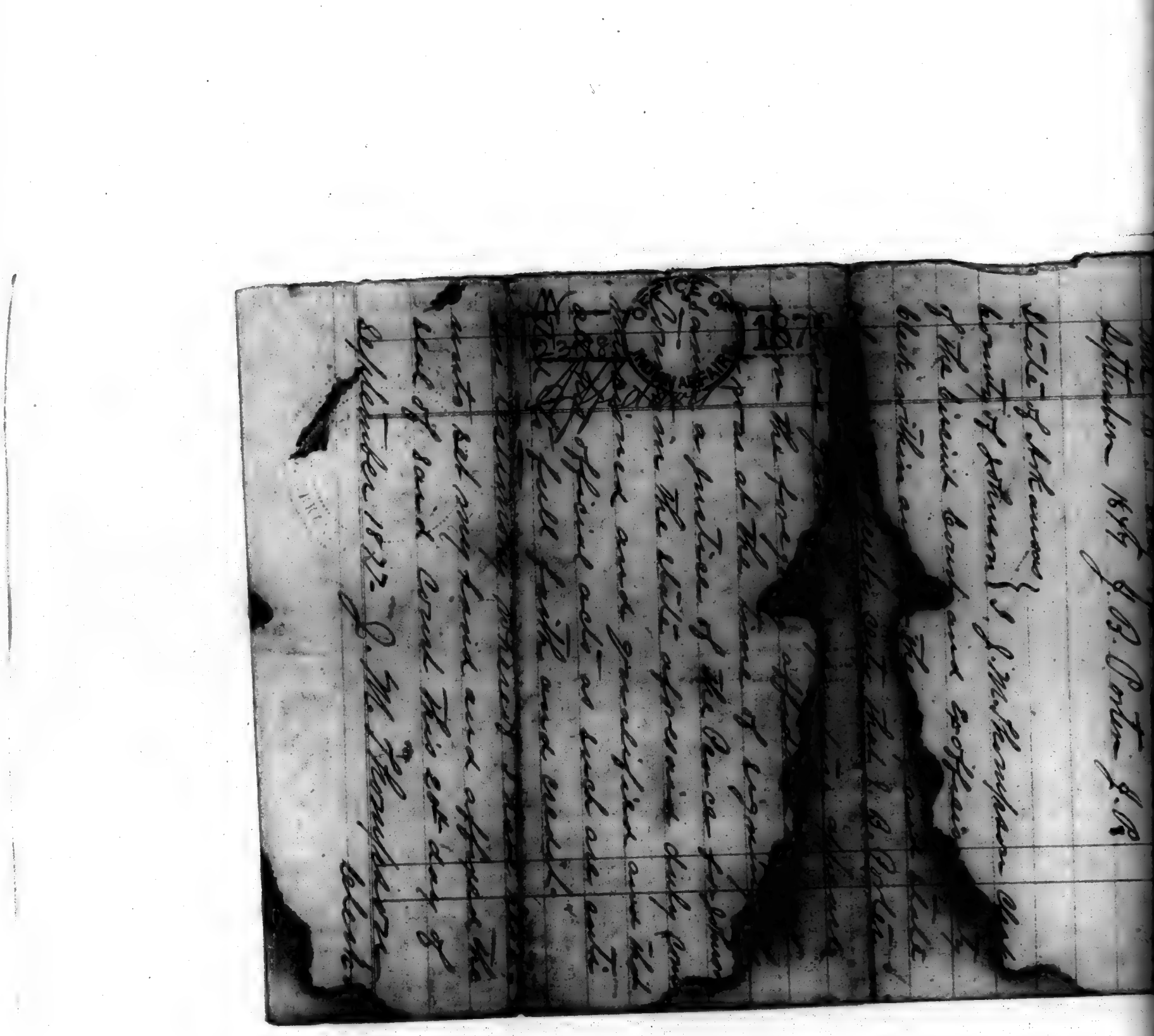
acquainted with a have known
her birth with the said Stan
Warren wife of the said E.J Warren
and she was and is known to have
Cherokee Indian blood in her

her
William + Byrd
mark

Subscribed and
Sworn to before
this 16th day of
September 1877 J.B. Porter J.P.

State of Arkansas }
County of Johnson } I, J.M. Thompson Clerk
of the Circuit Court and Ex officio County
Clerk within and for the County and State
aforesaid do hereby certify that J.B. Porter
whose genuine signature appears
upon the foregoing affidavit was
this day at the time of signing the
same a Justice of the Peace for Johnson
County in the State aforesaid duly com-
missioned and qualified and that
all his official acts as such are enti-
tled to full faith and credit.
In testimony whereof I have here-
unto set my hand and affixed the
seal of said Court this 20th day of
September 1877. J.M. Thompson
Clerk

POOR ORIGINAL -
BEST AVAILABLE COPY



POOR ORIGINAL -
BEST AVAILABLE COPY

M
2378 2 1873

Affidavit of
Annie Miller

POOR ORIGINAL
BEST AVAILABLE COPY

Personally appeared before me L.D. Spears Clerk Tahlequah Dist- after being duely sworn states Annie Miller

My mother used to say that she had a sister back in the old states named Susannah, and Nancy warren is a granddaughter of Susannah and I believe Nancy warren to be my second cousin. a Cherokee by blood.

her
Annie X Miller
mark

Sworn and Subscribed to before me on This the 25th day of November 1876

L.D. Spears Clerk
Tahlequah Dist- C.N.

POOR ORIGINAL
BEST AVAILABLE COPY


Miami
30 Nov 1878
W 2378 OFFICE OF INDIAN AFFAIRS. Rec'd NOV 29 1878
(Cherokee Citizenship)
Chas M. 1878
Dr E.A. 10 acres
Endorses shows affiliation certifying that his wife is of Cherokee blood
3 enclos.
Brooks
Miami W 2165 1880
Dr to Dep Bunkyhead Apl Chief Nov 30/78 $1.74 pd 38
2
Dept. of the Interior,
Dec 9 1878
Respectfully referred to the Comm'r of Indian Affairs,
Chief Clerk.

POOR ORIGINAL -
BEST AVAILABLE COPY

Department of the Interior
Office of Indian Affairs

Nov 22nd 1878

Sir I send three affidavits asserting the proof of parties certifying that my Wife is Cherokee Blood, and below I give my own Statement Concerning the coart her for the last Seven years. I filed my clame before the Supreme Judg and I turned over my Affidavits to his clerk. I attended the Sept regular Council and called for my Affidavits and they could not produce them Some one had distroyed two of them I then went back to the State of Tennissee and Arkansas to have the Affidavits re taken and one of the men was dead and his evidence was of importance, I succeded in getting William Byrds retaken which is here enclosed, and the one that was destroyed was of more importance than his, I got my Affidavits all together and went before the Supreme Judg the Second time and filed my Affidavits again then I attended the regular Council and put my clame before the investegan Commety and they fixed upon it as a good clame, it was then forwarded to the Secret

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and there I was misrepresented by one of the members, by stating that Dr Warren and family lived in Texas, then my papers was thrown aside, then Dr W.L.G Miller my atty was informed and he called one of the members of the Senett and told him that Dr Warren lived on Dog Creek in Scoey Scoey District and that his wife of the said Dr E.J. Warren and my wife Anny Miller is cousins, and he Miller my atty demanded that my papers should be taken up and have a fare investigation they admitted them on the table and put off the investigation untill the last regular Council, and I attended Council and told them I was redy for trial and they would not tak action upon it. then they organized a court of Commission and I appeared before this Coort and told them I was ready for an investigation they Sett a day and I started to the Coort and got half way there and I received a notice that the Coort had gorned for ten days and I have not received any other notice up to date, and they have not introduced any proof or attempted to produce any that my wife is not of Cherokee Blood and I am of Cherokee Blood only self but made no application on my part.

I am Satisfyed and can prove by good witnefses that I cannot get justice before this Coort from their better prejudice against claimants for Citizenship, and the Affidavits I send you pleas act upon them and give me a desision as I have faithfully tride for Seven years here and Cant get it here

Yours Fraternally
Dr E.J. Warren

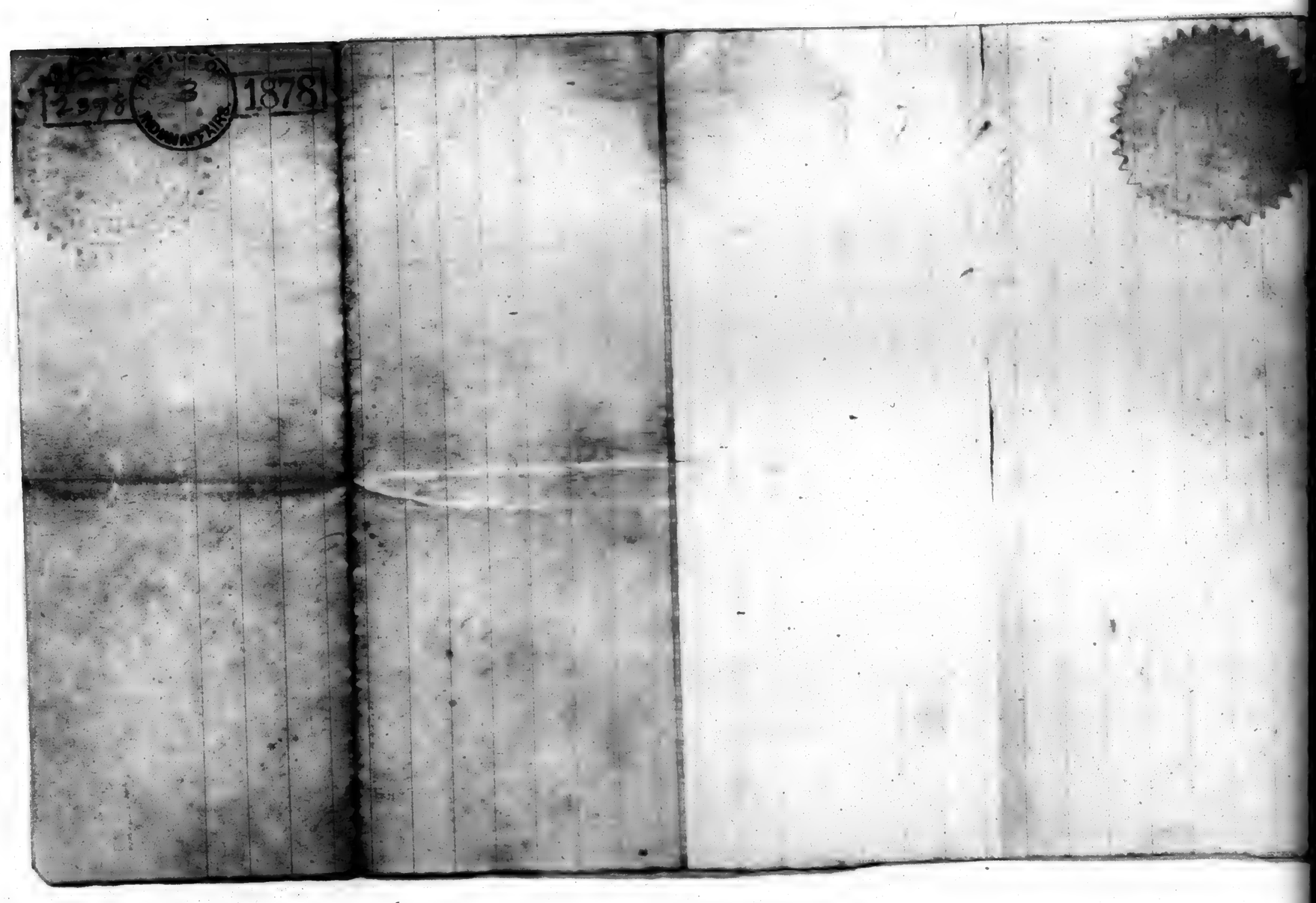
Sworn to and Subscribed before me this 22d day of Nov. A.D. 1878
A. P. Goody Notary
Mayor
Downingville
C.N.

POOR ORIGINAL -
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State of Tennessee }
Perry County } Personally appeared before
me C.L. Pearson a Justice of the Peace for said
County, Morgan L. Gray who makes oath in due
form of law that he is personally acquainted with
Nancy Pearce, wife of ~~E.J. Warren~~, who was the
daughter of Wright Pearce - That said Wright
Pearce from his own statement, and information from
others, his connections - was to the best of his knowledge &
belief of Cherokee blood - That he has been acquainted
with the said Nancy wife of E.J. Warren from her
birth, and she, as the daughter of Wright Pearce is
also of Cherokee blood - M L Gray
Sworn to and Subscribed before me
this 6th day of November 1876.
C.L. Pearson
J.P. for Perry County

State of Tennessee }
Perry County } I O P Pickard Clk of
the County Court of said County hereby
certify that C.L. Pearson whose genuine signa-
ture appears to the above is an acting Justice of
the peace for said County. And that full faith and
credit is due his official acts as such. Witness
my hand and Seal at office this 6th day of Nov 1876
O P Pickard Clk

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2978 3 1878

POOR ORIGINAL -
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End

W. H. Weatherman

COMMISSIONERS.
HENRY L. DAWES.
FRANK C. ARMSTRONG.
ARCHIBALD S. MCKENNON.
THOMAS B. GABANISS.
ALEXANDER B. MONTGOMERY.

H. M. JACOWAY, SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Vinita, Ind. T.,

1 of 30/96.

W. H. Leatherman

[redacted]

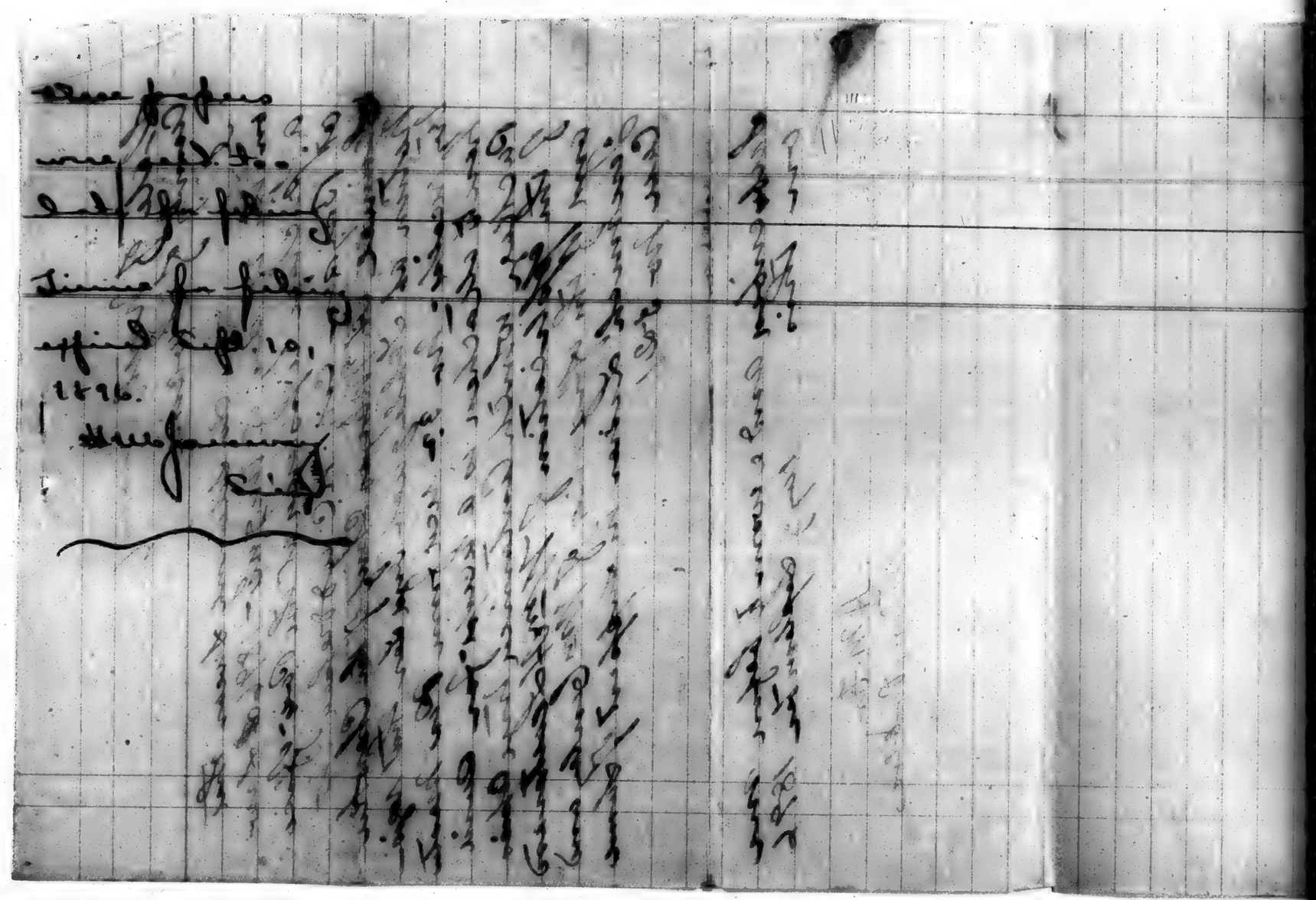
Dear Sir!

Your 24 ult. came but for want of time was not answered. I return the papers as they came too late to [redacted]

It will make no difference, however, as answers were filled in all cases where Copies were Served.

Yours Truly.

A. S. McKennon,



State of North Carolina
County of Swain

I J S Elsmore do solemnly swear that on the 27th day of August 1896 I saw a package registered at the Post-Office at Bryson City N.C. addressed to Samuel H Mayes Chief of the Cherokee Nation at Tahlequah Ind Ter that registry receipt No 5?? was received from the Master hereto attached is a receipt for said Package which Contained Two Affidavits in the Application of Wm Holcombe and the Affidavits of Wm Conley and Jeremiah Lossen in support of Same Case No 522

J S Elsmore

Subscribed and Sworn to before me on this 14th day of September 1896

A M Fry
Notary Public

State of North Carolina
County of Swain

I J S Edson do Solemnly Swear that on the 27th day of August 1896 I sent a Package registered at the Post Office at Bryson City N.C. addressed to Samuel A Mayes Chief of the Cherokee Nation at Tahlequah Ind Ter Said Package Contained true Copies of the Affidavits of James L Hardy and of the affidavits of Mrs Conley and Fredrick Mosser in support of Same

Case No 523

This was in Regr Pkg No 32 J. S Edson

Subscribed and Sworn to before me this 18th day of September 1896

A. McTeer
Notary Public

Affidavits Filed
Case No. 531-533
533

State of North Carolina
County of Swain

I J S Elum do Solemnly Sweer that on the 27th day of August 1896 I saw a package registered at the Post-Office at Bryson City N C addressed To Samuel H Mayes Chief of the Cherokee Nation at Tahlequah Ind Ter Said Package Contained Some Papers Relating to the Application of Jesse Sperlin & others and Said Papers were in the Handwriting of Wm Conley and Rhoda Sherrill in support of Same Case No 3282

This was in Reg Pkt No 32 J S Elum

Subscribed and sworn To before me on this 15th day of September 1896

S M Terry
Notary Public

End

Emily C. Webb et al

SPECIFICALLY IN DEFENSE OF RESIDENT PETITIO

First. We analyze Article 1, and Section 2, Cherokee Constitution,

(a.) The LAWS of the Cherokee Nation are declared to be

(b.) Upon the question, "To whom are they common?"

(c.) An effort seems put forth in Article VII, Section

which says: "The descendants of

living together in

and

Whites, legally "members of the Nation

to be citizens of the Cherokee Nation."

definition, will determine the significance of the

whom are the lands of the Cherokee Nation common?" Answer,

ALL NATIVE-BORN Cherokees. The phrase "all native born," is both

describes the noun Cherokees. All Cherokees of a particular class are

the Cherokee Nation are common. This class is defined by the phrase "native born," and all

question, who are native born Cherokees. The word "native" as an adjective is from the Latin

Nativus is from Nascor, which is a verb, signifying to be born. The verb "to be born" has no reference

of birth, nor can it have. A native born Cherokee is therefore one who is born with Cherokee

regard to the place of birth. Mr. Webster accordingly defines the adjective "Native," 1st: Produced

original, born with the being. Second: Produced by nature, not factitious or artificial. Third: Conferred

[See Webster's Unabridged Dictionary.]

The word Native, when used as a noun only, can be limited to mere birth within any

place. Therefore if the constitution is held, were want to limit births within the limits of the

and say the lands thereof are common property to those born

born, meaning born with the being—possessed by birth—every man, or woman who has Cherokee

his or her birth-right to have and deemed to be, and are citizens, with

property, in the improvements made or rightfully possessed. By the provisions of the constitution of

Nation, the land of said Nation is now, and shall remain common to such persons as are or may be

nature with Cherokee blood or being, and the improvements thereon are exclusive and indefeasible

of the same constitution. That which is exclusive cannot be

cannot be defeated. If your Honorable body feel bound therefore to respect "all laws" of the

fundamental law, and the case would seem made up; especially is this true viewed in the light of

the authorities of this Nation which emphasize the position assumed. It is here plead that

has been upon the existence of Cherokee blood proven, to admit,

charged in any case admitted, the effort has uniformly been to

establish the blood, was or was not fraudulently obtained.

POOR ORIGINAL -
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No. 1854

Emily C. Webb et al

vs

Cherokee Nation

Brief

FILED SEPT. 1896.

Filed Sept 30 1896

A. S. McKENNON

COM'R

I. M. Edmiston

LAWYER, Vinita

POOR ORIGINAL
BEST AVAILABLE COPY

Before the Honorable, the Dawes Commission

Emily C. Webb, Et-al
vs
The Cherokee Nation
} Eno 4654
Brief

The Evidence shows the father of principal Claimant to be J. W. Hildebrand who is the son of Peter Hildebrand and wife Betty — That Peter was a white man and Betty was a half breed Cherokee Indian. Peter Hildebrand is on the roll of 1835 and his family are registered with him. J. W. Hildebrand in his affidavits give names of his brothers and sisters who are also enrolled and he is related to Judge Jas. M. Hildebrand who is an old time Cherokee citizen residing 2½ miles N.W. of Vinita

J. W. Hildebrand lived in this nation for 2 years in the 30's on Grand river and frequently visited the nation after he returned to his home as does Braxton Webb, son of principal petitioner is a resident [illegible] has no residence for more than one year

The evidence of J W Hildebrand shows the maiden name of his mother to have been Harlan

The petition is respectfully submitted

W. W. Edmiston
Atty for Pltff.

POOR ORIGINAL -
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End

Louisa B. Wood et al

No. 1853

Louisa B. Wood et al

vs

Cherokee Nation

Brief

FILED Oct 1, 1896

A. S. McKENNON

COM'R

M. M. Edmiston

LAWYER, Vinita,

Before The Honorable, The Dawes Commission

Louisa B. Woods et-al
" vs
Cherokee Nation
} No. 185-3
Brief

The [illegible] claim is [illegible] to be drawn-
ents of Cap. Jack Childers of Tenn. and his
name appears on rolls of 1835, as I
now remember from my notes taken.

W M Edmiston
Atty. for Plffs.

End

Bell Woolsey

Citizenship Document Receipt.

EXECUTIVE DEPARTMENT,
CHEROKEE NATION.

TAHLEQUAH, INDIAN TERRITORY, Sept 2nd 1896

Received from Rasmus Thomsley copies of the following documents, to-wit: application of Belle Boulsey

certified to by S. S. Boyles. N.P.

as true and correct copies of the originals, and constituting all of the testimony submitted to the Dawes Commission in support of the claim of

for Cherokee citizenship.

By

EXECUTIVE SECRETARY, CHEROKEE NATION, INDIAN TERRITORY.

PRACTICES BEFORE THE UNITED STATES DISTRICT COURT AT FORT SMITH, ARK., THE U. S. COURT AT MUSKOGEE, I. T., AND U. S. COURT AND COMMISSIONERS AT TAHLEQUAH, I. T.

CASE NO. 1.

PRACTICES BEFORE ALL THE COURTS AND DEPARTMENTS OF THE CHEROKEE NATION AND OTHER NATIONS OF THE INDIAN TERRITORY. PROSECUTES CLAIMS TO CITIZENSHIP.

WILLIAM F. RASMUS,

ATTORNEY-AT-LAW AND GENERAL COMMERCIAL AGENT,

HAVING PERMANENTLY ASSOCIATED WITH ME

M. O. THORMLEY,

ATTORNEY,

AS SPECIALIST IN CLAIMS FOR CHEROKEE INDIAN CITIZENSHIP.

OFFICE OVER PEOPLE'S STORE. ROOMS 9 AND 10, SECOND FLOOR.

TAHLEQUAH, CHEROKEE NATION, I. T. Sept 4 1896

IN RE

VS.

The Hon Dawes Commission
Vinita I. T.

Gentlemen:

Enclosed herewith please find application of Bell Woolsey - which is part of the Case of "Boyds et al - vs. Cherokee Nation" the principal part of same - with evidence and argument - was forwarded to you by mail July 24th 1896.

Very Respectfully,
Rasmus & Thormley

Born dec 27

Belle Woodley

[redacted]

8-23-4

Application for Cherokee Citizenship

To the Honorable, the DAWES COMMISSION, Vinita, Indian Territory:

The undersigned Bill Woolsey your petitioner, makes this her application for admission to citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, in accordance with all the Treaties, the Constitution and laws of the Cherokee Nation, and precedents established and of record, and respectfully submits the following statement of facts for the grounds of her claim, to wit:

That she is the daughter of one Mary Ann Bass and the granddaughter of one Elizabeth Bass and the great granddaughter of one [redacted] Cherokee Indian by blood and duly acknowledged member of the Cherokee tribe of Indians, and from whom she derived her Cherokee Indian blood, entitling her to citizenship in the Cherokee Nation, Indian Territory.

That ~~she has failed to find~~ the name of said ancestor John Rogers should be found to appear on the Census Rolls, taken and made of Cherokees east of the Mississippi river, in the years, 1835, ~~1848, 1851, and 1852~~.

And your petitioner respectfully awaits the time this her application for admission, together with the proof in support thereof, shall be truly heard and passed upon.

That the age of your petitioner is thirty-three (33) years; that her postoffice address is Ponca Oklahoma and that her family, by virtue of Cherokee Indian blood, consists of the following named to-wit:

No.	Names	Sex	Age	Relationship	Remarks.
1	Stella Pearl Woolsey	Female	14	Daughter	
2	Virgil Earl Woolsey	Male	13	Son	
3	William Wright Woolsey	"	10	"	
4	James Babb Woolsey	"	2	"	

In Witness Whereof, I have hereunto set my hand at Ponca Oklahoma this, the 29th day of August A. D., 1896.

Witness:
A. W. Hurley
Ida E. Bass

Bill Woolsey

Subscribed and sworn to before me at Ponca, Oklahoma this, the 29th day of August A. D., 1896.

[SEAL]

OK

A. W. Hurley
Notary Public

End

Taylor Wylie

REGISTRY RECEIPT.

Post Office at ~~South McAlester, Ind. Ter.~~

Registered ~~Letter~~ / ~~Parcel~~ No. 2465 Rec'd SEP 7 1896 189

of J N Foster
Taylor Wylie

addressed to Saml Rogers
Tahlequah I T

M A Otts P. M.

~~C-76~~

4070-4204

445-

UNITED STATES OF AMERICA,
Indian Territory,
Central District

I T Foster Jr being duly sworn states that he has this day forwarded by registered mail, evidenced by the registery receipt of Mary Potter postmaster, at South McAlester Indian Territory to Duncan Vaught Principal Chief Choctaw Nation, a true and perfect copy of the applications for admittance and enrollment by the Dawes Commission, to citizenship in the said Choctaw Nation of Taylor Wyliestal

Petitioners
Eli Taylor Wyliestal
Taylor Wyliestal

Affidavits
Amanda Cook
Maneroy Patterson
Thomas J Taylor
Henry Hawkins

and of all the evidence of affidavits, depositions and recorded evidence, and of all papers &c., hereto attached, to be used in support of said petitions.

I. T. Foster Jr
Attorney for Petitioners

Subscribed and sworn to before me this 7 day of April, 1896

Jos Pittman
NOTARY PUBLIC.

End

Maggie Young et al

No. 3730

Maggie Young et al

vs

Cherokee Nation

Brief

FILED Jan 1 1896.

A. S. McKENNON

COM'R.

M. M. Edmiston

LAWYER, Vinita,

Before The Honorable, The Dawes Commission

Maggie Jonny et-al
vs
Cherokee Nation
} No. 3730
Brief

The evidence shows applicant Maggie Jonny to be daughter of T.J. Welch, who is Grandson of John Welch who lives in Ga, moved to Texas, and then to Ms.
John Welch's name appears on the rolls of 1835 as petitioners believe
The applications are respectfully submitted. W.W. Edmiston
Atty. for Plffs.

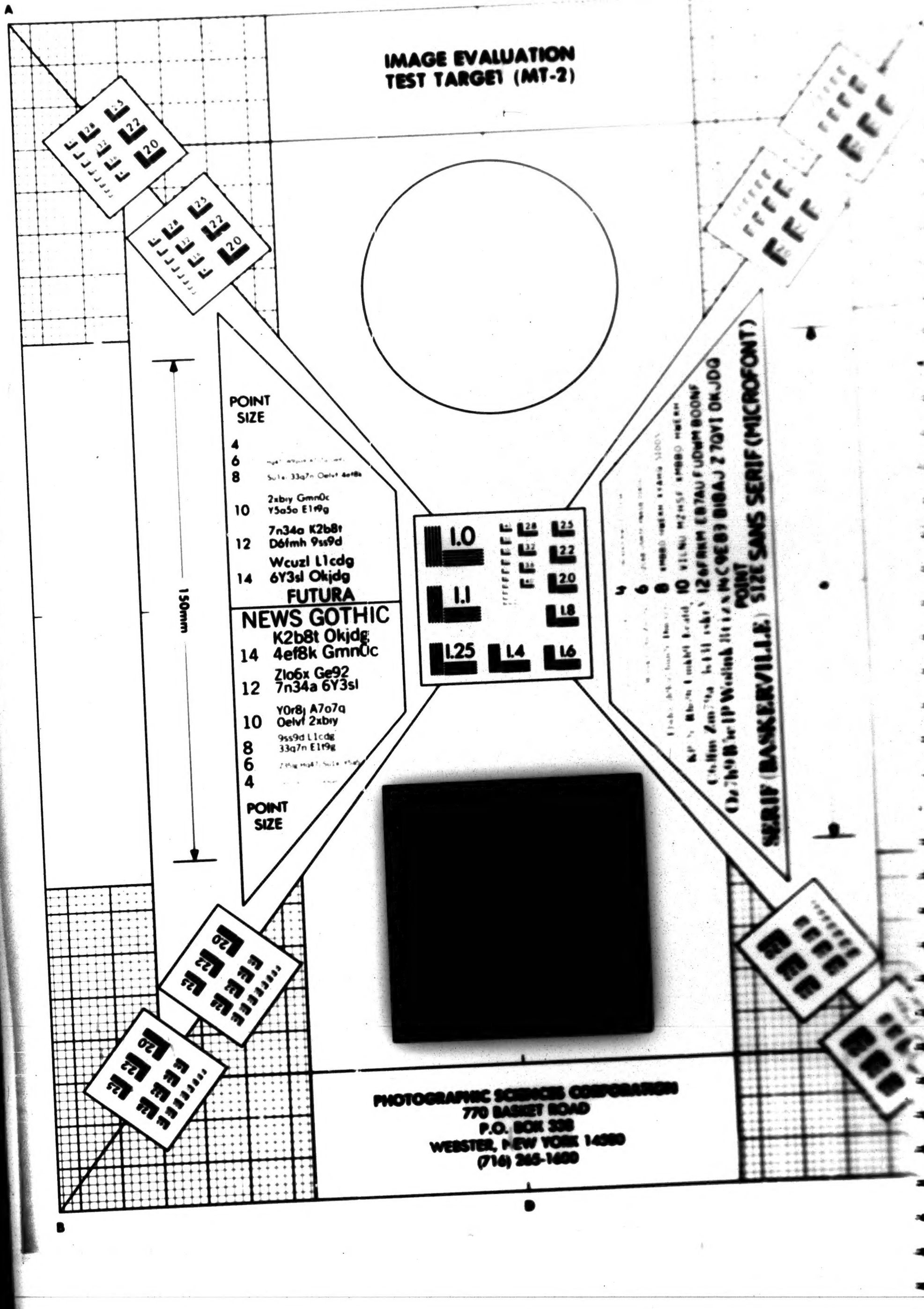
End

END

OF

REEL

IMAGE EVALUATION TEST TARGET (MT-2)



PHOTOGRAPHIC SCIENCES CORPORATION
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(716) 265-1600